

failure to do so shall be, in addition to a violation of any specific provisions of this section, § 11.45(a) of this chapter, or § 10.520(d), an independent breach of this duty.

■ 4. Revise § 10.500 introductory text as follows:

**§ 10.500 General requirements.**

Mobile devices are required to perform the following functions:

\* \* \* \* \*

**PART 11—EMERGENCY ALERT SYSTEM (EAS)**

■ 5. The authority citation for part 11 continues to read as follows:

**Authority:** 47 U.S.C. 151, 154 (i) and (o), 303(r), 544(g), 606, 1201, 1206.

■ 6. Amend § 11.35 by adding paragraph (d) to read as follows:

**§ 11.35 Equipment operational readiness.**

\* \* \* \* \*

(d) Annual EAS Security Certification.

(1) The identifying information required by the ETRS as specified in § 11.61(a)(3)(iv) shall include a Certification to the Commission that the EAS Participant has created, annually updated, and implemented a cybersecurity risk management plan. The cybersecurity risk management plan shall describe how the EAS Participant employs its organizational resources and processes to ensure the confidentiality, integrity, and availability of the EAS. The plan shall discuss how the EAS Participant identifies the cyber risks that it faces, the controls it uses to mitigate those risks, and how it ensures that these controls are applied effectively to their operations. The plan shall address the security of all aspects of an EAS Participant's communications systems and services that potentially could affect its provision of EAS messages. The plan shall be made available to the Commission upon request.

(2) EAS Participants shall employ sufficient security controls to ensure the confidentiality, integrity, and availability of the EAS. In furtherance of this requirement, the cybersecurity risk management plan shall address, but not be limited to, the following security controls:

(i) Changing default passwords prior to operation;

(ii) Installing security updates in a timely manner;

(iii) Securing equipment behind properly configured firewalls or using other segmentation practices;

(iv) Requiring multifactor authentication where applicable;

(v) Addressing the replacement of end-of-life equipment; and

(vi) Wiping, clearing, or encrypting user information before disposing of old devices.

(3) EAS Participants shall take reasonable measures to protect the confidentiality, integrity, and availability of EAS to avoid the transmission of false alerts or non-transmission of valid EAS messages; failure to do so shall be, in addition to a violation of any specific provisions of this section, § 11.45(a), or § 10.520(d) of this chapter, an independent breach of this duty.

■ 7. Amend § 11.45 by redesignating paragraph (c) as paragraph (d) and adding a new paragraph (c) to read as follows:

**§ 11.45 Prohibition of false or deceptive EAS transmissions.**

\* \* \* \* \*

(c) No later than seventy-two (72) hours after an EAS Participant knows or should have known that its EAS equipment, or communications systems, or services that potentially could affect their provision of EAS, have been accessed in an unauthorized manner, the EAS Participant shall provide notification to the Commission identifying, if applicable, the date range of the incident, a description of the unauthorized access, the impact to the EAS Participant's EAS operational readiness, a description of the vulnerabilities exploited and the techniques used to access the device, identifying information for each actor responsible for the incident, and contact information for the EAS Participant. When one event or set of events gives rise to obligations under both paragraphs (b) and (c) of this section, an EAS Participant remains subject to each requirement individually. The Participant may elect to send a single notification to the Commission within 24 hours providing all the information described in both paragraphs or separate notification to the Commission within 24 hours and 72 hours.

\* \* \* \* \*

[FR Doc. 2022-25263 Filed 11-22-22; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

[Docket No. FWS-R6-ES-2012-0107; FF09E21000 FXES1111090000 234]

**Endangered and Threatened Wildlife and Plants; Request for New Information for the North American Wolverine Species Status Assessment**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Request for new information.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), notify the public that we are requesting new information to update the Species Status Assessment (SSA) for the North American Wolverine (*Gulo gulo luscus*) occurring in the contiguous United States to make a final determination whether to list this species under the Endangered Species Act of 1973, as amended (Act). As a result of court action, the wolverine is now proposed for listing as a threatened species under the Act. The Service is updating the 2018 SSA and will reevaluate whether the North American wolverine occurring in the contiguous United States is a distinct population segment and, if so, whether the distinct population segment meets the definition of an endangered or threatened species under the Act. We now request new information regarding the North American wolverine to inform our SSA update and reevaluation under the Act. As directed by the court, the Service is to make a final listing determination by the end of November 2023.

**DATES:** In order to fully consider and incorporate new information, the Service requests submittal of new information by close of business December 23, 2022. Information submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date.

**ADDRESSES:**

**Document availability:** You may obtain copies of the 2013 proposed rule, the 2018 SSA report, and other supporting documents on the internet at <https://ecos.fws.gov/ecp/species/5123> or at <https://www.regulations.gov> at Docket No. FWS-R6-ES-2012-0107 or by mail or email from the Region 1 Ecological Services Regional Office (see **FOR FURTHER INFORMATION CONTACT**).

**Submission of information:** You may submit written information by one of the following methods:

(1) *Electronically*: Go to the Federal eRulemaking Portal: <https://www.regulations.gov> and search for Docket No. FWS–R6–ES–2012–0107.

(2) *By hard copy*: Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R6–ES–2012–0107, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send new information only by the methods described above. We will post all new information received on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Information Requested section below for more information).

**FOR FURTHER INFORMATION CONTACT:** Jodi Bush, Deputy Assistant Regional Director, Ecological Services, Region 1, U.S. Fish and Wildlife Service, 911 Northeast 11th Avenue, Portland, Oregon 97232; telephone: 503–231–2256; email: [jodi\\_bush@fws.gov](mailto:jodi_bush@fws.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

##### *Species Information*

On February 4, 2013, we published a proposed rule to list the distinct population segment (DPS) of wolverine occurring in the contiguous United States as a threatened species under the Act, with a proposed rule under section 4(d) of the Act that outlined the prohibitions considered necessary and advisable for the conservation of the wolverine (78 FR 7864; hereafter referred to as the “2013 proposed rule”). Please refer to the 2013 proposed rule and the 2018 Species Status Assessment (SSA) for the North American Wolverine (*Gulo gulo luscus*) for information about the wolverine’s taxonomy; life history; requirements for habitat, space, and food; densities; status in Canada and Alaska; geographic range delineation complexities; distribution; and habitat relationships and distribution. The SSA report can be found at <https://www.regulations.gov> at Docket No. FWS–R6–ES–2016–0106 or <https://ecos.fws.gov/ecp/species/5123>.

##### *Previous Federal Actions*

Please refer to the 2013 proposed rule for a detailed description of Federal actions concerning the wolverine prior to 2013. On October 31, 2013 (78 FR 65248), we reopened the comment period on the 2013 proposed rule. On February 5, 2014 (79 FR 6874), we extended our final determination date and reopened the comment period on the 2013 proposed rule. On August 13, 2014 (79 FR 47522), we withdrew the 2013 proposed rule based on our conclusion that the factors affecting the DPS were not as significant as believed at the time of publication of the proposed rule. That 2014 withdrawal decision was challenged and ultimately vacated by court order in 2016 (*Defenders of Wildlife v. Jewell*, No. 9:14–cv–00246–DLC, Doc108 (D. Mont. April 4, 2016)). Following the court’s decision, on October 18, 2016 (81 FR 71670), we reopened a comment period on the 2013 proposed rule.

On October 13, 2020 (85 FR 64618), the Service again withdrew the 2013 proposed rule to list the DPS of the North American wolverine occurring in the contiguous United States as a threatened species under the Act. The 2020 withdrawal decision was based on our conclusion that the factors affecting the species as identified in the 2013 proposed rule were not as significant as believed at the time of publication of the proposed rule. We also found that the North American wolverines occurring in the contiguous United States did not qualify as a DPS.

The Center for Biological Diversity and WildEarth Guardians filed lawsuits in the District Court for the District of Montana challenging the Service’s 2020 decision to withdraw the proposal to list the North American wolverine DPS. The cases were consolidated, and the State of Idaho’s motion to intervene was granted. On February 4, 2022, the Service filed a motion asking the court to voluntarily return (remand) the 2020 withdrawal decision to the Service to allow the Service to reevaluate it; the Service also requested that the withdrawal decision remain in effect pending that reevaluation. On May 26, 2022, the court granted the Service’s request for a voluntary remand of the 2020 withdrawal decision, but the court decided to vacate the withdrawal decision. *Ctr. for Biological Diversity v. Haaland*, No. CV 20–181–M–DWM (D. Mont. May 26, 2022).

##### *Current Situation*

The court’s action returns the listing process relative to the wolverine to the proposed rule stage. Therefore, the

Service notifies the public that the February 4, 2013, proposed rule to list the DPS of wolverine occurring in the contiguous United States as threatened under the Act (78 FR 7864) has been reinstated. For purposes of consultation under section 7 of the Act, the wolverine, as of May 26, 2022, is again a species proposed for listing and subject to conferencing requirements.

##### *Next Steps*

We will be updating the SSA for the North American wolverine to include any new information not available as of the report published on March 1, 2018. We will use the updated SSA as the scientific foundation to aid in our reevaluation of whether the DPS is valid pursuant to our 1996 DPS policy (61 FR 4722), and if so, whether the DPS meets the definition of an endangered or threatened species under the Act, or whether the species is not warranted for listing. Per the court order, the Service is to make a final listing determination within 18 months of the court’s judgment, *i.e.*, on or before November 27, 2023. Any listing determination we make must be made based on the best available information. We invite the public to provide new information that has become available since the March 1, 2018, publication of the SSA to inform our final determination regarding the North American wolverine.

##### **Information Requested**

We are seeking information that has become available since March 1, 2018, regarding the wolverine. We will consider information from all interested parties. We are particularly interested in specific information concerning:

(1) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to wolverine, and regulations that may be addressing those threats.

(2) The historical and current status, range, distribution, and population size of this species, including the locations of additional populations of wolverine.

(3) The biological or ecological requirements for wolverine, as well as ongoing conservation measures or efforts for the species and its habitat.

(4) Current or planned activities in the areas occupied by wolverine and possible impacts of these activities on this species.

(5) The amount and distribution of wolverine habitat, including den sites.

(6) The impacts of small population size and genetic diversity on the wolverine.

(7) The projected and reasonably likely impacts of climate change on the wolverine and its habitat, including the

loss of snowpack and impacts to wolverine denning habitat.

(8) population connectivity between Canada and the lower 48 contiguous States of the United States and information on differences in regulations governing wolverine management, or wolverine conservation status, in Canada and the lower 48 contiguous States.

Please note that we are not requesting any additional public comments on the proposed listing rule published in 2013 (78 FR 7864). Instead, we are seeking only new information to update the SSA for the North American wolverine that was published on March 1, 2018. If you submitted comments or information on the proposed rule (78 FR 7864) during the initial comment periods from February 4, 2013, to May 6, 2013, from October 31, 2013, to December 2, 2013, from February 5, 2014, to May 6, 2014, or from October 18, 2016, to November 17, 2016, please do not resubmit them. Any such comments have been incorporated as part of the public record of the proposed rule, and we will fully consider them in the preparation of our final determination. Our final determination will take into consideration all written comments and any additional information we received during all comment periods or in response to this document. Our final determination may again be a withdrawal of the 2013 proposed rule; it may be a determination to finalize the 2013 proposed rule; or our final listing determination may differ from the proposed rule. If, after considering all new information, we reaffirm that the wolverine DPS is a listable entity and that it meets the definition of a threatened or endangered species under section 4 of the Act, we may decide it is appropriate to repropose the species for listing. At that time, we would provide an opportunity for public comment on an updated proposed rule.

You may submit new information concerning the update to the status assessment by one of the methods listed in **ADDRESSES**. We request that you send information only by the methods described in **ADDRESSES**.

If you submit information via <https://www.regulations.gov>, your entire submission—including any personal identifying information—will be posted on the website. We will post all hardcopy submissions on <http://www.regulations.gov> as well. If you submit a hardcopy of new information that includes personal identifying information, you may request at the top of your document that we withhold this information from public review.

However, we cannot guarantee that we will be able to do so.

Information and materials we receive will be available for public inspection on <http://www.regulations.gov> at Docket No. FWS-R6-ES-2012-0107. You may obtain copies of the proposed rule and the SSA for the North American Wolverine (*Gulo gulo luscus*) on the internet at <https://www.regulations.gov> at Docket No. FWS-R6-ES-2012-0107 and <https://ecos.fws.gov/ecp/species/5123> or by mail or email from the Region 1 Ecological Services Regional Office (see **FOR FURTHER INFORMATION CONTACT**). Please note that the 2012 docket has documents and other information related to the proposed rule, as well as the comments received and the proposed rule itself, and is also the correct docket for submission of information in response to this document.

#### Authors

The primary authors of this document are staff members of the Species Assessment Team, U.S. Fish and Wildlife Service.

#### Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

#### Stephen Guertin,

*Acting Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2022-25433 Filed 11-22-22; 8:45 am]

**BILLING CODE 4333-15-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 221115-0241]

RIN 0648-BL54

#### Fisheries of the Exclusive Economic Zone Off Alaska; Amendment 124 to the BSAI FMP for Groundfish and Amendment 112 to the GOA FMP for Groundfish To Revise IFQ Program Regulations

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS issues a proposed rule to implement Amendment 124 to the Fishery Management Plan for Groundfish of the Bering Sea and

Aleutian Islands Management Area (BSAI FMP) and Amendment 112 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA FMP). First, this proposed rule would amend regulations for the Individual Fishing Quota (IFQ) and Community Development Quota (CDQ) Programs for pot gear configurations, pot gear tending and retrieval requirements, pot limits, and associated recordkeeping and reporting requirements. These changes would increase operational efficiency and flexibility for IFQ holders and CDQ groups. Second, this proposed rule would authorize jig gear as a legal gear type for harvesting sablefish IFQ and CDQ, increasing opportunities for entry-level participants. Third, this proposed rule would temporarily remove the Adak community quota entity (CQE) residency requirement for a period of five years. These actions are intended to promote the goals and objectives of the Northern Pacific Halibut Act of 1982, the Magnuson-Stevens Fishery Conservation and Management Act, the BSAI FMP, GOA FMP, and other applicable laws.

**DATES:** Submit comments on or before December 23, 2022.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2022-0092, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2022-0092 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to the Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of the Environmental Assessment and the Regulatory Impact Review (herein