

303(j), 303(r), 307, 309, 316, 403, 544(g), 606, 1201, 1202, 1203, 1204, and 1206.

■ 2. Delayed indefinitely, amend § 10.210 by revising paragraph (a) introductory text, redesignating paragraph (b) as paragraph (d), adding new paragraph (b), revising paragraph (c), and revising the newly redesignated paragraph (d).

The revisions and addition read as follows:

§ 10.210 WEA participation election procedures.

(a) A CMS provider that elects to transmit WEA Alert Messages must elect to participate in part or in whole, as defined by § 10.10(l) and (m), and shall electronically file in the Commission's WEA Database attesting that the Provider:

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(b) A CMS Provider that elects to participate in WEA must disclose the following information in their election filed in the Commission's WEA Database:

(1) The entities on behalf of which the Participating CMS Provider files its election, including the subsidiary companies (whether those subsidiaries are wholly owned or operated CMS Providers, Mobile Virtual Network Operators, or wireless resellers) on behalf of which their election is filed and the "doing business as" names under which a Participating CMS Provider offers WEA;

(2) The geographic area in which the Participating CMS Provider agrees to offer WEA alerts, either as:

(i) An attestation that they offer WEA in the entirety of their voice coverage area as reported to the Commission in the Broadband Data Collection or any successors; or

(ii) Geospatial data submitted to the Commission through the WEA Database.

(3) The extent to which all mobile devices that the Participating CMS Provider offers at the point of sale are WEA-capable, as demonstrated by the following:

(i) The mobile devices, as defined in § 10.10(j), that the Participating CMS Provider offers at their point of sale; and

(ii) The WEA-capable mobile devices, as defined in § 10.10(k), that the Participating CMS Provider offers at their point of sale.

(c) If the terms of a CMS Provider's WEA participation change in any manner described by paragraph (b) of this section, it must update the information promptly such that the information in the WEA Database accurately reflects the terms of their WEA participation. Updates (if any) for the period from August 16 through

February 15 must be filed by the following March 1, and updates for the period from February 16 through August 15 must be filed by the following September 1 of each year.

(d) A CMS Provider that elects not to transmit WEA Alert Messages shall file electronically in the Commission's WEA Database attesting to that fact. Their filing shall include any subsidiary companies on behalf of which the election is filed and the CMS Provider's "doing business as" names, if applicable.

■ 3. Delayed indefinitely, amend § 10.350 by adding paragraph (d) to read as follows:

§ 10.350 WEA testing and proficiency training requirements.

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(d) *Performance and Public Awareness Tests.* Participating CMS Providers may participate in no more than two (2) WEA tests per county (or county equivalent), per calendar year that the public receives by default, provided that the entity conducting the test:

(1) Conducts outreach and notifies the public before the test that live event codes will be used, but that no emergency is, in fact, occurring;

(2) To the extent technically feasible, states in the test message that the event is only a test;

(3) Coordinates the test among Participating CMS Providers and with State and local emergency authorities, the relevant SECC (or SECCs, if the test could affect multiple States), and first responder organizations, such as PSAPs, police, and fire agencies); and

(4) Provides in widely accessible formats the notification to the public required by this paragraph that the test is only a test and is not a warning about an actual emergency.

■ 4. Delayed indefinitely, revise § 10.480 to read as follows:

§ 10.480 Language support.

(a) Participating CMS Providers are required to transmit WEA Alert Messages that are issued in the Spanish language or that contain Spanish-language characters.

(b) Participating CMS Providers are required to support the display of a pre-scripted alert pre-installed and stored in the mobile device that corresponds to the default language of the mobile device.

■ 5. Effective December 15, 2026, amend § 10.500 by adding paragraph (i) to read as follows:

§ 10.500 General requirements.

* * * * *

(i) For Alert Messages with a target area specified by a circle or polygon, when a device has location services enabled and has granted location permissions to its native mapping application, Participating CMS Providers must support the presentation of a map along with an emergency alert message that includes at least

(1) The shape of the target area,

(2) The user's location relative to the target area, and

(3) A geographical representation of a target area in which both the targeted area and user are located.

§ 10.500 General requirements.

* * * * *

(e) Extraction of alert content in English and the subscriber-specified default language, if applicable.

(1) Storing pre-scripted alerts in English, Spanish, Chinese, Tagalog, Vietnamese, Arabic, French, Korean, Russian, Haitian Creole, German, Hindi, Portuguese, and Italian.

(2) Allowing the subscriber to choose to receive pre-scripted Alert Messages in American Sign Language (ASL) instead of or in addition to their mobile device's subscriber-specified default language setting.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 221223-0282; RTID 0648-XD584]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From NC to VA

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

ACTION: Notification of quota transfer.

SUMMARY: NMFS announces that the State of North Carolina is transferring a portion of its 2023 commercial summer flounder quota to the Commonwealth of Virginia. This adjustment to the 2023 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan quota transfer

provisions. This announcement informs the public of the revised 2023 commercial quotas for North Carolina and Virginia.

DATES: Effective December 12, 2023, through December 31, 2023.

FOR FURTHER INFORMATION CONTACT: Laura Deighan, Fishery Management Specialist, (978) 281-9184.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102 and final 2023 allocations were published on January 3, 2023 (88 FR 11).

The final rule implementing Amendment 5 to the Summer Flounder Fishery Management Plan (FMP), as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: the transfer or combinations would not preclude the overall annual quota from being fully harvested; the transfer addresses an unforeseen variation or contingency in the fishery; and the transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

North Carolina is transferring 23,319 pounds (lb; 10,577 kilograms (kg)) to Virginia through a mutual agreement between the states. This transfer was requested to repay landings made by out-of-state permitted vessels under safe harbor agreements. The revised summer flounder quotas for 2023 are North Carolina, 3,257,764 lb (1,477,697 kg), and Virginia, 2,788,223 lb (1,264,717 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR

648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

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

Dated: December 12, 2023.

Everett Wayne Baxter,

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 660

[Docket No. 231211-0299]

RIN 0648-BM44

Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Biennial Specifications; 2023-2024 and 2024-2025 Specifications for Pacific Mackerel

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

ACTION: Final rule.

SUMMARY: NMFS is implementing allowable harvest levels and harvest reference points, including the overfishing limit, acceptable biological catch, and annual catch limit, for Pacific mackerel in the exclusive economic zone off the U.S. West Coast (California, Oregon, and Washington) for the fishing seasons 2023-2024 and 2024-2025. The allowable harvest levels include a harvest guideline and annual catch target for the 2023-2024 fishing season of 7,871 metric tons (mt) and 6,871 mt, respectively and a harvest guideline and annual catch target for the 2024-2025 fishing season of 8,943 mt and 7,943 mt, respectively. If the fishery attains the annual catch target in either fishing season, the directed fishery will close, reserving the 1,000-mt difference between the harvest guideline and annual catch target as a set-aside for incidental landings in other Coastal Pelagic Species fisheries and other sources of mortality. This final rule is made pursuant to the Coastal Pelagic Species Fishery Management Plan and is intended to conserve and manage the Pacific mackerel stock off the U.S. West Coast.

DATES: Effective December 15, 2023.

FOR FURTHER INFORMATION CONTACT: Heather Fitch, West Coast Region,

NMFS, (360) 302-6549, *Heather.Fitch@noaa.gov*.

SUPPLEMENTARY INFORMATION: Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.*, NMFS manages the Pacific mackerel fishery in the U.S. exclusive economic zone (EEZ) off the West Coast in accordance with the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). The CPS FMP and its implementing regulations require NMFS to set annual harvest specifications for the Pacific mackerel fishery based on the annual specification framework and control rules in the FMP. The Pacific mackerel fishing season runs from July 1 to June 30. This final rule implements these harvest specifications, which include allowable harvest levels (*i.e.*, annual catch target (ACT) and harvest guideline (HG)), an annual catch limit (ACL), and annual catch reference points (*i.e.*, overfishing limit (OFL) and acceptable biological catch (ABC)). This final rule adopts, without changes, the harvest specifications that NMFS proposed in the rule published on September 29, 2023 (88 FR 67222). The proposed rule for this action included additional background on the specifications and details on how the Pacific Fishery Management Council (Council) derived its recommended specifications for Pacific mackerel. Those details are not repeated here.

The uncertainty surrounding the current biomass estimates for Pacific mackerel for the 2023-2024 and 2024-2025 fishing seasons was taken into consideration in the development of these harvest specifications. Any Pacific mackerel harvested between July 1, 2023, and the effective date of the final rule will count toward the 2023-2024 ACT and HG.

The Council recommended, and NMFS is implementing, Pacific mackerel harvest specifications for both the 2023-2024 and 2024-2025 fishing seasons. For the 2023-2024 Pacific mackerel fishing season these include an OFL of 11,693 mt, an ABC and ACL of 9,754 mt, a HG of 7,871 mt, and an ACT of 6,871 mt. For the 2024-2025 Pacific mackerel fishing season these include an OFL of 12,765 mt, an ABC and ACL of 10,073 mt, a HG of 8,943 mt, and an ACT of 7,943 mt. These catch specifications are based on the OFL and ABC control rules established in the CPS FMP, recommendations from the Council's SSC and other advisory bodies, and biomass estimates of 55,681 mt (2023-2024) and 60,785 mt (2024-2025). The biomass estimates are the result of a benchmark stock assessment