

to include the announcement required by this section; memorializing its conduct of such reasonable diligence; and retaining such documentation in its records for either the remainder of the then-current permit term or one year, whichever is longer, so as to respond to any future Commission inquiry. The term *foreign governmental entity* shall have the meaning set forth in paragraph (j)(2) of this section.

■ 3. Delayed indefinitely, further amend § 73.1212 by revising paragraphs (j)(3) introductory text and (j)(3)(iv) and (v) to read as follows:

**§ 73.1212 Sponsorship identification; list retention; related requirements.**

\* \* \* \* \*

(j) \* \* \*

(3) The licensee of each broadcast station shall exercise reasonable diligence to ascertain whether the foreign sponsorship disclosure requirements in paragraph (j)(1) of this section apply at the time of the lease agreement and at any renewal thereof, or apply within a one-year period if the lessee and the programming remain unchanged, including:

\* \* \* \* \*

(iv) Memorializing that the licensee has complied with the requirements in paragraphs (j)(3)(i) through (iii) of this section and has sought to obtain a response from the lessee with the information needed to determine if a disclosure is necessary, and if one is necessary, the information needed to make the disclosure, either:

(A) By executing a written certification attesting to the licensee's compliance and by seeking a written certification from the lessee; or

(B) By complying with the information requirement contained in paragraph (j)(3)(i) of this section and by asking the lessee to provide screenshots of its searches of the Department of Justice's FARA website and the Commission's semi-annual U.S.-based foreign media outlets reports, in the event that lessee has stated it is neither a FARA agent nor a U.S.-based foreign media outlet, and asking lessee to provide other information needed to make such a determination (*i.e.*, asking lessee whether it falls into the categories listed in paragraphs (j)(2)(i) and (ii) of this section that are not covered by the request for screenshots), and by making a record of the licensee's compliance efforts; and

(v) Retaining the documentation in the licensee's records for the remainder of the then-current license term or one year, whichever is longer, so as to

respond to any future Commission inquiry.

\* \* \* \* \*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No.: 240314-0080; RTID 0648-XE110]

#### Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Area I, Area II, and New York Bight Scallop Access Areas to General Category Individual Fishing Quota Scallop Vessels

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS announces that the Area I, Area II, and New York Bight Scallop Access Areas are closed to Limited Access General Category Individual Fishing Quota scallop vessels for the remainder of the 2024 fishing year. Regulations require this action once it is projected that 100 percent of trips allocated to the Limited Access General Category Individual Fishing Quota scallop vessels for the Area I, Area II, and New York Bight Scallop Access Areas will be taken. This action is intended to prevent the number of trips in the Area I, Area II, and New York Bight Scallop Access Areas from exceeding what is allowed under the Atlantic Sea Scallop Fishery Management Plan.

**DATES:** Effective 0001 hr local time, July 13, 2024, through March 31, 2025.

**FOR FURTHER INFORMATION CONTACT:** Travis Ford, Fishery Policy Analyst, (978) 281-9233.

**SUPPLEMENTARY INFORMATION:** Regulations governing fishing activity in the Sea Scallop Access Areas can be found in 50 CFR 648.59 and 648.60. These regulations authorize vessels issued a valid Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) scallop permit to fish in the Area I, Area II, and New York Bight Scallop Access Areas under specific conditions, including a total of 856 trips, combined, that may be taken during the 2024 fishing year. Section 648.59(g)(3)(iii) requires NMFS to close an Access Area to LAGC IFQ permitted

vessels for the remainder of the fishing year once it determines that the allocated number of trips for the fishing year are projected to be taken.

NMFS is required to monitor LAGC IFQ quota at a trip basis. The best scientific information available shows that July 13, 2024, is the appropriate date to close the areas given the current trip count, and likely mathematical extrapolations of trip counts until the closure date. We have taken into account that upon announcement of this closure, vessels are able to declare into the fishery before the closure date. LAGC IFQ scallop vessels provided trip declarations for fishing in the Area I, Area II, and New York Bight Scallop Access Areas to NMFS through the Vessel Monitoring System. NMFS performed a projection analysis using fishing effort data and determined that 856 trips would likely be taken by July 13, 2024.

Therefore, in accordance with § 648.59(g)(3)(iii), NMFS is closing the Area I, Area II, and New York Bight Scallop Access Areas to all LAGC IFQ scallop vessels as of July 13, 2024. No vessel issued an LAGC IFQ permit may fish for, possess, or land scallops in or from the Area I, Area II, or New York Bight Scallop Access Areas after 0001 hr local time, July 13, 2024. Any LAGC IFQ vessel that has declared into the Area I, Area II, or New York Bight Access Areas scallop fishery, complies with all trip notification and observer requirements, and crossed the Vessel Monitoring System demarcation line on the way to the area before 0001 hr, July 13, 2024, may complete its trip without being subject to this closure. This closure is in effect for the remainder of the 2024 scallop fishing year, through March 31, 2025.

#### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act. This action is required by 50 CFR part 648, which was issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. The Area I, Area II, and New York Bight Scallop Access Areas opened for the 2024 fishing year on April 1, 2024. This closure is not discretionary under § 648.59(g)(3)(iii); NMFS must close the areas once when it determines the trip allocation will be reached. This closure ensures that LAGC IFQ scallop vessels do not take

more than their allocated number of trips in the area. The projected date on which the LAGC IFQ fleet will have taken all of its allocated trips in an Access Area becomes apparent only as trips into the area(s) occur on a real-time basis and as activity trends begin to appear. Current trip counts are regularly posted to the monitoring website ([https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/ScallopProgram/CURRENT\\_REPORTS/LAGC\\_AA\\_TRIPS.html](https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/ScallopProgram/CURRENT_REPORTS/LAGC_AA_TRIPS.html)), giving regulated entities near-real time access to the status of impending closures. Nevertheless, NMFS can only make an accurate projection of a specific closure date very close in time to when the fleet has taken all of its allocated trips. If NMFS solicited public comment on this mandatory closure action then the LAGC IFQ scallop vessels would exceed their allocated number of trips in the Area I, Area II, and New York Bight Scallop Access Areas. Excessive trips and harvest from the Area I, Area II, and New York Bight Scallop Access Areas would result in excessive fishing effort in the area, where precise effort controls are critical, thereby undermining conservation objectives of the Atlantic Sea Scallop Fishery Management Plan and requiring more restrictive future management measures to prevent overfishing. Accordingly, delaying this action to provide prior notice and a comment period would harm scallop resources and the scallop fishing industry. The public had prior notice and full opportunity to comment on this closure process in Amendment 11 to the Atlantic Sea Scallop Fishery Management Plan (FMP) (73 FR 20090; April 14, 2008). The public also had prior notice and full opportunity to comment on the action to set specifications for the 2024 fishing year in Framework Adjustment 38 to the Scallop FMP (89 FR 20341; March 22, 2024). Regulated parties and stakeholders, were given a meaningful opportunity to comment on the regulatory scheme, and they are on notice to anticipate this specific closure action. For these reasons, NMFS has good cause to waive notice and comment for this action, which flows from and was specifically required by regulations that underwent notice and comment rulemaking. For these same

reasons, NMFS further finds, under 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period.

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

Dated: July 11, 2024.

**Lindsay Fullenkamp,**

*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 648

[Docket No. 231215-0305; RTID 0648-XE107]

#### Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From Virginia to Massachusetts

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

**ACTION:** Temporary rule; quota transfer.

**SUMMARY:** NMFS announces that the Commonwealth of Virginia is transferring a portion of its 2024 commercial summer flounder quota to the Commonwealth of Massachusetts. This adjustment to the 2024 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2024 commercial quotas for Virginia and Massachusetts.

**DATES:** Effective July 15, 2024 through December 31, 2024.

**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 the final 2024 allocations were published on December 21, 2023 (88 FR 88266).

The final rule implementing amendment 5 to the 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: (1) the transfers or combinations would not preclude the overall annual quota from being fully harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are 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.

Virginia is transferring 5,025 pounds (lb; 2,279 kilograms (kg)) to Massachusetts through a mutual agreement between the states. This transfer was requested to repay landings made by an out-of-state permitted vessel under a safe harbor agreement. The revised summer flounder quotas for 2024 are: Virginia, 1,890,242 lb (857,399 kg); and Massachusetts, 613,208 lb (278,146 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) of the Magnuson-Stevens Act, and is exempted from review under Executive Order 12866.

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

Dated: July 11, 2024.

**Lindsay Fullenkamp,**

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

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