

costs plus the fully loaded costs—that is, including an appropriate share of indirect costs, such as fixed and overhead expenses—reasonably allocated, borne by the self-insured plan for such services).” Accordingly, we are revising the definition to include the correct word.

### III. Waiver of Proposed Rulemaking and Delay in Effective Date

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Section 553(d) of the APA ordinarily requires a 30-day delay in the effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This document merely corrects a technical error in the regulation text and does not change the policy set forth in the 2015 Payment Notice. Therefore, we believe that undertaking further notice and comment procedures to incorporate this correction and delay the effective date for this change is unnecessary. In addition, we believe it is important for the public to have the correct information as soon as possible, and believe it is contrary to the public interest to delay when they become effective. For the reasons stated previously, we find there is good cause to waive notice and comment procedures and the 30-day delay in the effective date for this correcting amendment.

#### List of Subjects in 45 CFR Part 153

Administrative practice and procedure, Adverse selection, Health care, Health insurance, Health records, Organization and functions (Government agencies), Premium stabilization, Reporting and recordkeeping requirements, Reinsurance, Risk adjustment, Risk corridors, Risk mitigation, State and local governments.

Accordingly, 45 CFR is corrected by making the following correcting amendment to part 153:

### PART 153—STANDARDS RELATED TO REINSURANCE, RISK CORRIDORS, AND RISK ADJUSTMENT UNDER THE AFFORDABLE CARE ACT

■ 1. The authority citation for part 153 continues to read as follows:

**Authority:** Secs. 1311, 1321, 1341–1343, Pub. L. 111–148, 24 Stat. 119.

#### § 153.20 [Corrected]

■ 2. In § 153.20, amend paragraph (2) of the definition of “contributing entity” by removing the word “volume” and adding in its place “value.”

Dated: June 17, 2014.

**C'Reda Weeden,**

*Executive Secretary to the Department, Department of Health and Human Services.*

[FR Doc. 2014–15099 Filed 6–26–14; 8:45 am]

**BILLING CODE 4120–01–P**

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Office of the Secretary

#### 45 CFR Part 160

#### General Administrative Requirements

##### CFR Correction

■ In Title 45 of the Code of Federal Regulations, Parts 1 to 199, revised as of October 1, 2013, on page 983, in § 160.103, a definition of *Manifestation* or *manifested* is added in alphabetical order to read as follows:

#### § 160.103 Definitions.

\* \* \* \* \*

*Manifestation* or *manifested* means, with respect to a disease, disorder, or pathological condition, that an individual has been or could reasonably be diagnosed with the disease, disorder, or pathological condition by a health care professional with appropriate training and expertise in the field of medicine involved. For purposes of this subchapter, a disease, disorder, or pathological condition is not manifested if the diagnosis is based principally on genetic information.

\* \* \* \* \*

[FR Doc. 2014–15102 Filed 6–26–14; 8:45 am]

**BILLING CODE 1505–01–D**

### DEPARTMENT OF HOMELAND SECURITY

#### Transportation Security Administration

#### 49 CFR Part 1510

[Docket No. TSA–2001–11120; Amendment No. 1510–4]

**RIN 1652–AA68**

#### Adjustment of Passenger Civil Aviation Security Service Fee; Interim Final Rule; Correction

**AGENCY:** Transportation Security Administration (TSA), DHS.

**ACTION:** Interim final rule; request for comments; correction.

**SUMMARY:** The Transportation Security Administration (TSA) is correcting an interim final rule (IFR) published in the **Federal Register** on June 20, 2014. This IFR implements amendments to 49 U.S.C. 44940, which authorizes TSA to impose fees to defray the government's costs for providing civil aviation security services, such as those related to screening personnel, screening equipment, and other specified security services.<sup>1</sup> That document inadvertently failed to note the proper citation in a footnote in the Background section. This document corrects the interim final rule by revising this section.

**DATES:** *Effective Date:* This IFR is effective at 12:00 a.m. (Eastern Daylight Time) on July 21, 2014.

*Comment Date:* Comments must be received by August 19, 2014.

**FOR FURTHER INFORMATION CONTACT:** Michael Gambone, Office of Revenue, TSA–14, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6014; telephone (571) 227–2323; email [tsa-fees@dhs.gov](mailto:tsa-fees@dhs.gov).

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2014–14488 appearing on page 35463 in the **Federal Register** of Friday, June 20, 2014, the following correction is made:

#### Correction

In FR Doc. 2014–14488, published on June 20, 2014 (79 FR 35461), make the following correction:

1. On page 35463, in the first column, footnote three is corrected to read as follows:

“<sup>3</sup> Consistent with 49 U.S.C. 40102(a)(5), “air transportation” means “foreign air transportation, interstate air transportation, or the transportation of mail by aircraft.”

<sup>1</sup> See 49 U.S.C. 44940(a)(1) (enumerating specific aviation security services intended to be funded at least in part by the fee referenced herein).

Dated: June 24, 2014.

**Traci Klemm,**

*Assistant Chief Counsel for Multi Modal Security Standards.*

[FR Doc. 2014-15162 Filed 6-26-14; 8:45 am]

BILLING CODE 9110-05-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 140616507-4507-01]

RIN 0648-BE19

#### Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Unused Catch Carryover; Emergency Action

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

**ACTION:** Temporary rule; emergency action; request for comments.

**SUMMARY:** NMFS is changing the accounting system and accountability measures implemented last year for fishing year 2012 Northeast multispecies fishery sector annual catch entitlement carryover used during fishing year 2013. This change implements a stock level pound-for-pound payback accountability measure if a sector uses its 2012 carryover and both the sector sub-annual catch limit and the overall annual catch limit are exceeded. This rule is necessary to comply with an April 4, 2014, ruling by the U.S. District Court for the District of Columbia that invalidated and vacated the fishing year 2013 carryover measures.

**DATES:** Effective June 27, 2014, except for the amendment to § 648.87 (b)(1)(i)(C)(2)(i) which is effective June 27, 2014, through December 24, 2014. Comments must be received on or before July 28, 2014.

**ADDRESSES:** You may submit comments, identified by NOAA-NMFS-2014-0070, by any of the following methods:

- *Electronic submissions:* Submit all electronic public comments via the Federal eRulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0070](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0070), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- *Mail:* Paper, disk, or CD-ROM comments should be sent to John K.

Bullard, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on the Court remedy carryover emergency rule."

- *Fax:* (978) 281-9135, Attn: Michael Ruccio.

*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). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

A National Environmental Policy Act (NEPA) Supplemental Information Report (SIR), including a Regulatory Impact Review, has been prepared for this action. Copies of the SIR prepared for this action by NMFS are available from John K. Bullard, Regional Administrator, 55 Great Republic Drive, Gloucester, MA 01930. The SIR is accessible via the Internet at <http://www.nero.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Michael Ruccio, Fishery Policy Analyst, phone: 978-281-9104.

**SUPPLEMENTARY INFORMATION:** This rule to respond to a recent U.S. District Court decision in *Conservation Law Foundation v. Pritzker, et al.* (Case No. 1:13-CV-0821-JEB) provides information in a question in response format. The key questions are:

1. What action is being taken by this rule?
2. What are the events and background that led to this rule becoming necessary?
3. What is the justification for taking this action?
4. What are the next steps NMFS will take?

This section includes information on the fishing year (FY) 2013 remedy and information about carryover accounting for FY 2014 and beyond. Additional information on how this rule complies with applicable law is provided in the Classification section.

#### 1. What action is being taken by this rule?

As a result of the Court order and remand in *Conservation Law Foundation v. Pritzker, et al.*, we are

implementing regulations that hold sectors accountable for using carryover of annual catch entitlement (ACE) from FY 2012 in FY 2013. The Court invalidated the carryover measures implemented in association with Framework Adjustment 50 (FW 50) to the NE Multispecies Fishery Management Plan (FMP) because the measures failed to prevent total potential catches of certain stocks (ACEs plus carryovers) from exceeding their annual biological catches (ABCs). This action implements revised carryover measures for FY 2013 to comply with the Court's findings. The action does not delete the specific regulations invalidated by the Court at § 648.87(b)(1)(i)(C) because they were already removed, inadvertently, when FW 51 measures were implemented on May 1, 2014. This action requires an accountability measure for a sector that harvests its carryover catch from FY 2012 of a stock in FY 2013 if the cumulative sub-annual catch limit (ACL) for all sectors, and, the overall ACL of such stock is exceeded. The accountability measure is a pound-for-pound reduction (or "payback") of that sector's FY 2014 ACE for an applicable stock equal to the amount of the carryover used after deducting a *de minimis* amount.

The following stepwise evaluation process provides a detailed explanation of when and how the payback accountability measure would be triggered and assessed:

*Step 1:* Has the total fishery-level ACL for a stock been exceeded?

- No—There is no reduction in FY 2014 ACE for that stock required (i.e., no repayment required). Other components of the fishery underutilized their available catch limits for that stock sufficient to offset any carryover used.

- Yes—Proceed to step 2.

*Step 2:* Has the sector sub-ACL (i.e., sum total of all sector ACE) been exceeded?

- No—There is no reduction in FY 2014 ACE for that stock required (i.e., no repayment required). Even though the total fishery-level ACL was exceeded, sectors collectively did not exceed their sub-ACL for that stock. While some sectors may have used carryover for that stock, other sectors did not or underutilized available ACE for that stock by enough to offset the carryover used, resulting in total catch less than the sub-ACL.

- Yes—Proceed to step 3.

*Step 3:* After sectors' FY 2013 catch reconciliation with NMFS has occurred, determine which sectors used FY 2012 carryover ACE for a stock. For each of those sectors, determine the amount of