

6. The Bureau also dismisses as moot ten pending petitions for retroactive waiver as well as the two pending petitions for reconsideration. The Court of Appeals for the D.C. Circuit declared unlawful and vacated the 2006 Solicited Fax Rule and the Bureau accordingly eliminated the rule as described above. Therefore, the Bureau finds no need to consider the remaining pending petitions seeking temporary waiver of the rule or seeking reconsideration of the Commission's application of the rule.

#### Ordering Clauses

7. Pursuant to sections 4(i), 4(j), and 227 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), (j), 227, and the authority delegated in §§ 0.141 and 0.361 of the Commission's rules, 47 CFR 0.141, 0.361, that the *Order* is adopted and that § 64.1200 of the Commission's rules, 47 CFR 64.1200 is amended.

8. Pursuant to sections 4(i), 4(j), and 227 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), (j), and 227, and § 1.3 of the Commission's rules, 47 CFR 1.3, and the authority delegated in §§ 0.141 and 0.361 of the Commission's rules, 47 CFR 0.141, 0.361, that the petitions for retroactive waiver of § 64.1200(a)(4)(iv) of the Commission's rules, 47 CFR 64.1200(a)(4)(iv), filed by Safemark Systems, LP, Cynosure, Inc., United Auto Credit Corporation, Brigadoon Fitness Inc. and Brigadoon Financial Inc., Renue Systems Development Corp., Inc., et al., Chester Limited, Inc., Foot Levelers, Inc., M3 USA Corporation, Lane Labs-USA, Inc., and Getaway Seminars, Inc. are dismissed as moot.

9. Pursuant to sections 4(i), 4(j), and 227 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), (j), and 227, and § 1.3 of the Commission's rules, 47 CFR 1.3, and the authority delegated in §§ 0.141 and 0.361 of the rules, 47 CFR 0.141, 0.361, that the petitions for reconsideration filed by Fetch, Inc., d/b/a Petplan and Ohio National Mutual, Inc., are dismissed as moot.

10. CGB's Reference Information Center, shall send a copy of the *Order*, including the Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects in 47 CFR Part 64

Telecommunications, Telephone, Facsimile.

Federal Communications Commission.

**Daniel Margolis,**

*Acting Legal Advisor, Consumer & Governmental Affairs Bureau.*

#### Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

#### PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation for part 64 continues to read as follows:

**Authority:** 47 U.S.C. 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 228, 251(a), 251(e), 254(k), 262, 403(b)(2)(B), (c), 616, 620, 1401–1473, unless otherwise noted.

#### § 64.1200 [Amended]

■ 2. In § 64.1200:

- a. Remove paragraphs (a)(4)(iv); and
- b. Redesignate paragraphs (a)(4)(v), (vi), and (vii) as paragraphs (a)(4)(iv), (v), and (vi), respectively.

[FR Doc. 2019–05276 Filed 3–19–19; 8:45 am]

**BILLING CODE 6712–01–P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 190213108–9232–01]

**RIN 0648–XG820–X**

#### Fisheries of the Northeastern United States; Monkfish Fishery; 2019 Monkfish Specifications

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

**ACTION:** Final rule.

**SUMMARY:** We are implementing specifications for the 2019 monkfish fishery. This action is necessary to ensure allowable monkfish harvest levels that will prevent overfishing and allow harvesting of optimum yield. This action is intended to establish the allowable 2019 harvest levels, consistent with the Monkfish Fishery Management Plan and previously announced multi-year specifications.

**DATES:** The final specifications for the 2019 monkfish fishery are effective May 1, 2019, through April 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** Allison Murphy, Fishery Policy Analyst, (978) 281–9122.

**SUPPLEMENTARY INFORMATION:** The New England and Mid-Atlantic Fishery

Management Councils jointly manage the monkfish fishery. The fishery is divided into Northern and Southern Fishery Management Areas and there are different management measures for each area. Primary effort controls include a yearly allocation of days-at-sea (DAS) and landing limits that are designed to enable the fishery to catch, but not exceed, its annual quotas. This action would continue the 2017–2019 specifications approved by the Councils in Framework Adjustment 10 to the Monkfish Fishery Management Plan.

On July 12, 2017, we approved measures in Framework 10 for the 2017 fishing year (82 FR 32145), based on a recent stock assessment update and consistent with the Councils' Scientific and Statistical Committee recommendations. At that time, we also approved the projected specifications for 2018 and 2019. Final 2019 total allowable landings in both the Northern and Southern Fishery Management Areas are summarized in Table 1. These 2019 measures are the same as those implemented in 2017 and 2018. All other requirements remain the same.

TABLE 1—MONKFISH SPECIFICATIONS FOR FISHING YEAR 2019

Management area	Total allowable landings (mt)
Northern Fishery Management Area .....	6,338
Southern Fishery Management Area .....	9,011

We have reviewed available 2018 fishery information against the 2019 specifications and we do not expect that the 2018 annual catch limit will be exceeded. Further, there is no new biological information that would require altering the projected 2019 specifications. Neither Council has recommended any changes to the previous multi-year specifications. Based on this, we are implementing the 2019 specifications as outlined in the Framework 10 final rule (82 FR 32145, July 12, 2017). The 2019 specifications will be effective until April 30, 2020. This is the final year of these specifications and new specifications will be developed by the Councils for 2020 through 2022.

#### Classification

The NMFS Assistant Administrator has determined that this final rule is consistent with the Monkfish Fishery Management Plan, the Magnuson-Stevens Fishery Conservation and Management Act, and other applicable law.

This rule is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), we find good cause to waive prior public notice and opportunity for public comment on the catch limit and allocation adjustments because allowing time for notice and comment is unnecessary. The Framework 10 proposed rule provided the public with the opportunity to comment on the 2017–2019 specifications (82 FR 21498, May 9, 2017). While comments in the Framework 10 final rule were mixed on whether limits should be liberalized or made more restrictive, no comments were received on the announced 2019 specifications. Thus, the proposed and final rules that contained the projected 2017–2019 specifications provided a full opportunity for the public to comment on the substance and process of this action. Furthermore, no circumstances or conditions have changed in the 2018 monkfish fishery that would cause new concern or necessitate reopening the comment period. Finally, the final 2019 specifications being implemented by this rule are unchanged from those projected in the Framework 10 final rule.

The Chief Counsel for Regulation, Department of Commerce, previously certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that the 2017–2019 monkfish specifications would not have a significant economic impact on a substantial number of small entities. Implementing status quo specifications for 2019 will not change the conclusions drawn in that previous certification to the SBA. Because advance notice and the opportunity for public comment are not required for this action under the Administrative Procedure Act, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, do not apply to this rule. Therefore, no new regulatory flexibility analysis is required and none has been prepared.

This action does not contain a collection of information requirement for the purposes of the Paperwork Reduction Act.

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

Dated: March 15, 2019.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

[FR Doc. 2019–05283 Filed 3–19–19; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 170817779–8161–02]

RIN 0648–XG901

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season apportionment of the 2019 Pacific cod total allowable catch allocated to catcher vessels using trawl gear in the BSAI.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), March 16, 2019, through 1200 hours, A.l.t., April 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The A season apportionment of the 2019 Pacific cod total allowable catch (TAC) allocated to catcher vessels using trawl gear in the BSAI is 26,388 metric tons (mt) as established by the final 2019 and 2020 harvest specifications for groundfish in the BSAI (84 FR 9000, March 13, 2019).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season apportionment of the 2019 Pacific cod

TAC allocated to trawl catcher vessels in the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 24,000 mt and is setting aside the remaining 2,388 mt as incidental catch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the BSAI.

While this closure is effective the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement 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 requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for Pacific cod by catcher vessels using trawl gear in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 14, 2019.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: March 15, 2019.

**Karen H. Abrams,**

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

[FR Doc. 2019–05284 Filed 3–15–19; 4:15 pm]

**BILLING CODE 3510–22–P**