using an automatic telephone dialing system or an artificial or prerecorded voice to, among other recipients, any wireless telephone number. Specifically, the Commission adopts the following conditions applicable to each delivery notification (voice call or text message) made utilizing the exemption the Commission grants:

(1) A notification must be sent, if at all, only to the telephone number for the package recipient;

(2) notifications must identify the name of the delivery company and include contact information for the delivery company;

(3) notifications must not include any telemarketing, solicitation, or advertising content;

(4) voice call and text message notifications must be concise, generally one minute or less in length for voice calls and one message of 160 characters or less in length for text messages;

(5) delivery companies shall send only one notification (whether by voice call or text message) per package, except that one additional notification may be sent to a consumer for each of the following two attempts to obtain the recipient's signature when the signatory was not available to sign for the package on the previous delivery attempt;

(6) delivery companies relying on this exemption must offer parties the ability to opt out of receiving future delivery notification calls and messages and must honor the opt-out requests within a reasonable time from the date such request is made, not to exceed thirty days; and,

(7) each notification must include information on how to opt out of future delivery notifications; voice call notifications that could be answered by a live person must include an automated, interactive voice- and/or key press-activated opt-out mechanism that enables the called person to make an opt-out request prior to terminating the call; voice call notifications that could be answered by an answering machine or voice mail service must include a toll-free number that the consumer can call to opt out of future package delivery notifications; text notifications must include the ability for the recipient to opt out by replying ''STOP.''

The Commission's grant of the requested exemption, to the extent indicated herein, is limited to package delivery notifications to consumers' wireless phones either by voice or text and only applies so long as those calls are not charged to the consumer recipient, including not being counted against the consumer's plan limits on minutes or texts, and must comply with the conditions the Commission adopts. In addition to the limited context within which package delivery companies will be making autodialed or prerecorded package delivery notification calls to consumers' wireless numbers, the conditions adopted herein to protect consumers' privacy interests are critical to the Commission's exercise of the statutory authority to grant an exemption. Taken as a whole, the Commission finds that these conditions simultaneously fulfill the statutory obligation to protect consumers' privacy interest in avoiding unwanted calls while allowing package delivery companies a reasonable time in which to implement opt-out elections. The Commission clarifies that, as required by the statute, except in an emergency or with the prior express consent of the consumer, any party who sends an autodialed or prerecorded package delivery notification to a wireless number that is not in full conformance with the requirements the Commission adopts today may not take advantage of this exemption and risks violating the TCPA.

Ordering Clause

Pursuant to sections 4(i), 4(j), and 227 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 227, and §§ 1.2 and 64.1200 of the Commission's rules, 47 CFR 1.2, 64.1200, that the Petition for Expedited Declaratory Ruling filed by Cargo Airline Association on August 17, 2012 *is granted in part* and *is otherwise dismissed* to the extent indicated herein.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2015–06709 Filed 3–24–15; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

[Docket No. FWS–R9–MB–2011–0100; FF09M29000–145–FXMB12320900000]

RIN 1018–AX92

Migratory Bird Permits; Removal of Regulations Concerning Certain Depredation Orders

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We are removing two regulations that set forth certain depredation orders for migratory birds. There have been no requests for authorization of a depredation order under one regulation we are removing, and no reports of activities undertaken under the other in the last 10 years. Control of depredating birds may be undertaken under depredation permits in accordance with the regulations already set forth.

DATES: This rule is effective April 24, 2015.

FOR FURTHER INFORMATION CONTACT: George Allen, at 703–358–1825.

SUPPLEMENTARY INFORMATION:

Background

On November 4, 2013, we published a proposed rule (78 FR 65953) to remove 50 CFR 21.42, 21.45, and 21.46. These regulations concern depredating migratory birds.

Specifically, 50 CFR 21.42 governs control of depredating migratory game birds in the United States; under this section of the regulations, the Director of the U.S. Fish and Wildlife Service is authorized to issue, by publication in the **Federal Register**, a depredation order to permit the taking of migratory game birds under certain conditions if the Director receives evidence clearly showing that the migratory game birds have accumulated in such numbers in a particular area as to cause or about to cause serious damage to agricultural, horticultural, and fish cultural interests.

Under 50 CFR 21.45, landowners, sharecroppers, tenants, or their employees or agents actually engaged in the production of rice in Louisiana, may, without a permit and in accordance with certain conditions, take purple gallinules (*Ionornis martinica*) when found committing or about to commit serious depredations to growing rice crops on the premises owned or occupied by those persons.

Under 50 CFR 21.46, landowners, sharecroppers, tenants, or their employees or agents actually engaged in the production of nut crops in Washington and Oregon may, without a permit and in accordance with certain conditions, take scrub jays (*Aphelocoma coerulescens*) and Steller's jays (*Cyanocitta stelleri*) when found committing or about to commit serious depredations to nut crops on the premises owned or occupied by such persons.

This Rule

In response to our November 4, 2013, proposed rule (78 FR 65953), we received no comments on our proposal to remove 50 CFR 21.42 or 21.45, but we did receive comments about our proposal to remove 50 CFR 21.46. In this final rule, we are removing only 50

CFR 21.42 and 21.45, as well as references to those two sections that appear in 50 CFR 21.41 and 21.53. Removal of these depredation orders does not affect any other depredation order in 50 CFR part 21. We will address our proposal to remove 50 CFR 21.46 in a separate rule, in which we will respond to the comments we received concerning the proposal to remove that section of our regulations.

The regulations at 50 CFR 21.42 and 21.45 were put in place in 1974, to help commercial agricultural interests (39 FR 1157, January 4, 1974). 50 CFR 21.45 requires reporting and recordkeeping on activities taken in accordance with the regulations. We have received no applications for declaration of a depredation order under § 21.42 in the last 15 years, and there have been no reports of activities conducted under § 21.45 in at least 10 years.

Upon the effective date of this rule (see **DATES**, above), control of depredating birds may still be undertaken under depredation permits, in accordance with 50 CFR 21.41.

Required Determinations

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 (Pub. L. 104–121)), whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small businesses, small organizations, and small government jurisdictions. However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant economic impact on a substantial number of small entities.

SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide the statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities. There are no costs associated with this regulations change. The Federal Government will see a small benefit because it will no longer incur the annual cost of publishing the three sections of the regulations in the Code of Federal Regulations (CFR).

We have examined this rule's potential effects on small entities as required by the Regulatory Flexibility Act. This action will not have not have a significant economic impact on any small entity, so a regulatory flexibility analysis is not required.

This rule is not a major rule under the SBREFA (5 U.S.C. 804(2)). It will not have a significant impact on a substantial number of small entities.

a. This rule does not have an annual effect on the economy of $100 million or more.

b. This rule will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, Tribal, or local government agencies, or geographic regions.

c. This rule will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Therefore, we certify that this rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*), we have determined the following.

a. This rule will not ''significantly or uniquely'' affect small governments. A small government agency plan is not required.

b. This rule will not produce a Federal mandate of $100 million or greater in any year. It is not a ''significant regulatory action.''

Takings

This rule does not contain a provision for taking of private property. In accordance with Executive Order 12630, a takings implication assessment is not required.

Federalism

This rule does not have sufficient Federalism effects to warrant preparation of a federalism summary impact statement under Executive Order 13132. It will not interfere with the States' abilities to manage themselves or their funds. We do not expect significant economic impacts to result from the removal of the depredation orders.

Civil Justice Reform

In accordance with Executive Order 12988, the Office of the Solicitor has determined that the rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act of 1995

There is no information collection requirement associated with this regulations change. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act

We have analyzed this rule in accordance with the National Environmental Policy Act (NEPA), 42 U.S.C. 432–437(f) and 43 CFR 46.210. The regulations change will remove unused regulations, and is administrative in nature. The action is categorically excluded from further NEPA consideration by 43 CFR 46.210(i).

Socioeconomic. The regulations change will have no socioeconomic impacts.

Migratory bird populations. The regulations change will not affect native migratory bird populations.

Endangered and threatened species. The regulation change will not affect endangered or threatened species or habitats important to them.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments'' (59 FR 22951), Executive Order 13175, and 512 DM 2, we have determined that there are no potential effects on Federally recognized Indian Tribes from the regulations change. The

regulations change will not interfere with Tribes' abilities to manage themselves or their funds or to regulate migratory bird activities on Tribal lands.

Energy Supply, Distribution, or Use (Executive Order 13211)

This rule will affect only two depredation orders for migratory birds, and will not affect energy supplies, distribution, or use. This is not a significant energy action, and no Statement of Energy Effects is required.

Compliance With Endangered Species Act Requirements

Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that ''The Secretary [of the Interior] shall review other programs administered by him and utilize such programs in furtherance of the purposes of this chapter'' (16 U.S.C. 1536(a)(1)). It further states that the Secretary must ''insure that any action authorized, funded, or carried out . . . is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat'' (16 U.S.C. 1536(a)(2)). The regulations change will not affect listed species.

List of Subjects in 50 CFR Part 21

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Regulation Promulgation

For the reasons described in the preamble, we amend subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 21—MIGRATORY BIRD PERMITS

■ 1. The authority for part 21 continues to read as follows:

Authority: 16 U.S.C. 703–712.

■ 2. Amend § 21.41 by revising paragraph (a) to read as follows:

§ 21.41 Depredation permits.

(a) *Permit requirement.* Except as provided in §§ 21.43, 21.44, and 21.46, a depredation permit is required before any person may take, possess, or transport migratory birds for depredation control purposes. No permit is required merely to scare or herd depredating migratory birds other than endangered or threatened species or bald or golden eagles.

* * * * *

§ 21.42 [Removed and reserved]

■ 3. Remove and reserve § 21.42.

§ 21.45 [Removed and reserved]

■ 4. Remove and reserve § 21.45.

§ 21.53 [Amended]

■ 5. Amend § 21.53 by removing the fourth sentence of paragraph (c)(2).

Dated: February 2, 2015.

Michael J. Bean,

Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2015–06639 Filed 3–24–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140903744–5258–02]

RIN 0648–BE46

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Amendment 16

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to implement Amendment 16 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP), as prepared and submitted by the Gulf of Mexico (Gulf) Fishery Management Council (Council). This final rule revises the annual catch limit (ACL) for royal red shrimp, removes the royal red shrimp quota, and revises the accountability measures (AMs) for royal red shrimp to remove an inconsistency in the regulations. The purpose of this rule is to prevent overfishing of the royal red shrimp resource while helping to achieve optimum yield and reconcile conflicting Federal regulations.

DATES: This rule is effective April 24, 2015.

ADDRESSES: Electronic copies of Amendment 16, which includes an supplemental environmental impact statement, a Regulatory Flexibility Act analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/shrimp/2014/am16/index.html.*

FOR FURTHER INFORMATION CONTACT: Susan Gerhart, telephone: 727–824–5305, or email: *Susan.Gerhart@noaa.gov.*

SUPPLEMENTARY INFORMATION: The shrimp fishery in the Gulf is managed under the FMP. The FMP was prepared by the Council and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On March 11, 2014, NMFS published a notice of intent to prepare a supplemental environmental impact statement for Amendment 16 and requested public comment (79 FR 13623). NMFS published a notice of availablility for Amendment 16 on December 24, 2014, (79 FR 77425) and published the proposed rule on January 26, 2015, (80 FR 3937) and requested public comment. A summary of the actions implemented by Amendment 16 and this final rule is provided below.

On January 30, 2012, NMFS implemented regulations developed through the Generic ACL/AMs Amendment to multiple fishery management plans, including the Shrimp FMP (December 29, 2011, 76 FR 82044). That amendment included actions to establish the commercial ACL and AM for royal red shrimp. However, the ''no action'' alternatives and discussions in the Generic ACL Amendment incorrectly stated that there were currently no catch limits or AMs for royal red shrimp, even though a quota and in-season quota closure were in the regulations. As a consequence, through the Generic ACL Amendment, both a royal red shrimp ACL and AM were added to the regulations, but the existing quota and in-season quota closure provision were not removed.

Federal regulations currently include a royal red shrimp ACL of 334,000 lb (151,000 kg), tail weight, and a quota of 392,000 lb (177.8 mt), tail weight. This final rule removes the royal red shrimp quota and updates the ACL to 337,000 lb (152,861 kg), tail weight, which is equal to the acceptable biological catch as recommended by the Council's Scientific and Statistical Committee.

Federal regulations also include a royal red shrimp in-season closure if the quota is met or projected to be met, based on in-season monitoring (which functions as an AM), and include an AM that implements in-season monitoring and an ACL closure in the year following any ACL overage. The presence of two AMs in the regulations presents an inconsistency in the management of royal red shrimp. This final rule removes the in-season quota closure associated with the royal red shrimp quota and retains the AM associated with the ACL.