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The Code of Federal Regulations is sold by the Superintendent of Documents.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1701; Project Identifier MCAI–2024–00153–T; Amendment 39–22986; AD 2025–05–14]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus SAS Model A350–941 and A350–1041 airplanes. This AD was prompted by a report indicating that the thrust reverser and pylon thermal blankets were found damaged due to air leaking from the pre-cooler exchanger (PCE). This AD requires repetitively testing the PCE for air leaks and reporting the results, and, depending on findings, inspecting the thermal blankets for damage and replacing the PCE, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE **FEDERAL REGISTER**].

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 22, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–1701; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–1701.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3225; email: *dan.rodina@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus SAS Model A350–941 and A350–1041 airplanes. The NPRM published in the **Federal Register** on July 1, 2024 (89 FR 54393). The NPRM was prompted by AD 2024–0058R1, dated April 16, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union. EASA AD 2024–0058R1 stated that during a maintenance inspection, thrust reverser and pylon thermal blankets were found damaged due to air leaking from the PCE.

In the NPRM, the FAA proposed to require repetitively testing the PCE for air leaks and reporting the results, and, depending on findings, inspecting the thermal blankets for damage and replacing the PCE.

Since the NPRM was issued, EASA issued AD 2024–0058R2, dated October 4, 2024 (EASA AD 2024–0058R2) (also referred to as the MCAI). EASA AD 2024–0058R2 adds guidance regarding updated inspection procedures with instructions for additional inspections that can be accomplished before contacting Airbus. EASA AD 2024–0058R2 retains all requirements of EASA AD 2024–0058R1 and does not introduce any new requirements.

The FAA is issuing this AD to address damage to thermal blankets that, if combined with an independent event of engine fire, could lead to a temporary uncontrolled fire.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–1701.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from the Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

The FAA received additional comments from Delta Airlines (Delta). The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Clarify Conflicting Compliance Time

Delta stated that EASA AD 2024–0058R1 and Airbus Alert Operator's Transmission (AOT) A36P010–23, Revision 01, dated April 17, 2024, have conflicting compliance times for the next leak test requirement after initial testing. Delta requested clarification of the compliance time for the PCE repetitive leak tests.

The FAA agrees to clarify. EASA had previously responded to a similar question in the Comment Response Document for EASA Proposed AD (PAD) 2024–0058. In that document, EASA confirmed that the first leak test must be accomplished before 5,500 flight cycles since new, which serves as the initial starting point for subsequent flight-cycle intervals. Thereafter, all subsequent inspections must occur at intervals not greater than 100 flight cycles. The FAA notes that if an operator conducts the first leak test at, for example, 5,400 total flight cycles, then the next leak test must occur before 5,500 total flight cycles (*i.e.,* an interval not to exceed 100 flight cycles since the previous leak test). However, if the operator decides to perform the leak test at, for example, 4,500 total flight cycles, then the next leak test must be performed before 4,600 total flight cycles. The FAA has not changed this AD in this regard.

Request To Revise Initial Compliance Time

Delta stated that Airbus has recommended not to perform the PCE leak test earlier than 100 flight cycles before reaching the 5,500-flight-cycle threshold, due to the availability of spare parts. The FAA infers that Delta is requesting the compliance time be revised to specify that the initial leak test should not be accomplished prior to the accumulation of 5,400 flight cycles on the PCE.

The FAA does not agree to change this compliance time. The FAA notes that operators may choose to complete the initial leak test at any point before the 5,500-flight cycle threshold, including several flight cycles before that threshold. Additionally, in developing an appropriate compliance time for this action, the FAA considered the recommendations of EASA, the urgency associated with the subject unsafe condition, the availability of required parts, and the practical aspect of accomplishing the required actions. However, under the provisions of paragraph (i)(1) of this AD, the FAA will consider requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that the new compliance time would provide an acceptable level of safety. The FAA has not changed this AD in this regard.

Request To Limit Reporting Requirement

Delta requested that paragraph (h) of the proposed AD be revised to exclude the requirement to contact Airbus and provide pictures of PCEs information, as specified in Airbus AOT A36P010–23, Revision 01, dated April 17, 2024. Delta stated that operators should not be mandated to provide pictures of an affected unit's cold path and smart aircraft condition monitoring system recorder (SAR017) data from flights because use of this information would not directly impact safety. Delta expressed concern over the risk of non-compliance with the proposed AD if they were unable to obtain SAR017 data from the next flight after PCE replacement. Delta stated that Airbus uses reporting for safety condition investigations and software development. Delta also stated that Airbus indicated that any SAR017 data of any flight after PCE replacement is acceptable, when SAR017 data is available.

The FAA disagrees with removing the reporting requirement but does agree to extend the compliance time for reporting SAR017 data. The reporting requirement is intended to provide the original equipment manufacturer (OEM) with information to determine the root cause of the unsafe condition identified in this AD. Furthermore, the OEM and EASA will review the inspection results, and other corrective actions may result from the reported data. Although the SAR017 data will be helpful for the OEM and EASA to determine if future action is needed, reporting that data is not an immediate or urgent requirement. Therefore, in consideration of Delta's comment, the FAA has revised the reporting requirement so that the SAR017 data is due 6 months after the completion of the applicable actions in this AD.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0058R2, dated October 4, 2024. This material specifies procedures for performing repetitive air leak tests of a certain PCE and reporting the results. If a leak is detected, EASA AD 2024–0058R2 specifies to replace the PCE and visually inspect the thrust reverser and pylon thermal blankets and replace if damaged. EASA AD 2024–0058R2 also requires performing an air leak test on any newly installed PCE. EASA AD 2024–0058R2 also limits the installation of affected PCEs.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Interim Action

The FAA considers that this AD is an interim action. If final action is later identified, the FAA might consider further rulemaking then.

Costs of Compliance

The FAA estimates that this AD affects 32 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
3 work-hours × $85 per hour = $255	$0	$255	$8,160

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 24 work-hours × $85 per hour = Up to $2,040	Up to $18,844	Up to $20,884.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to take approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the

data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177–1524.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–05–14 Airbus SAS: Amendment 39–22986; Docket No. FAA–2024–1701; Project Identifier MCAI–2024–00153–T.

(a) Effective Date

This airworthiness directive (AD) is effective April 22, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus SAS Model A350–941 and A350–1041 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 36, Pneumatic.

(e) Unsafe Condition

This AD was prompted by a report indicating that the thrust reverser and pylon thermal blankets were found damaged due to air leaking from the pre-cooler exchanger (PCE). The FAA is issuing this AD to address the PCE leaking air. The unsafe condition, if not addressed, could result in thermal blanket damage that, if combined with an independent event of engine fire, could lead to a temporary uncontrolled fire.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0058R2, dated October 4, 2024 (EASA AD 2024–0058R2).

(h) Exceptions to EASA AD 2024–0058R2

(1) Where EASA AD 2024–0058R2 refers to March 11, 2024 [the effective date of the original issue of this [EASA] AD], this AD requires using the effective date of this AD.

(2) Where paragraph (4) of EASA AD 2024–0058R2 specifies if ''any discrepancy, as defined in the AOT, is identified, before next flight, contact Airbus for approved repair instructions and accomplish those instructions accordingly,'' this AD requires replacing that text with ''any discrepancy is detected, the discrepancy must be repaired before further flight using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.''

(3) Paragraph (6) of EASA AD 2024–0058R2 specifies to report air leak test results to Airbus within a certain compliance time. For this AD, report test results at the applicable times specified in paragraphs (h)(3)(i) and (ii) of this AD.

(i) Report test results, except smart aircraft condition monitoring system recorder (SAR017) data, at the applicable time specified in paragraph (h)(3)(i)(A) or (B) of this AD.

(A) If the test was done on or after the effective date of this AD: Submit the report within 30 days after the test.

(B) If the test was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

(ii) Report SAR017 data at the applicable time specified in paragraph (h)(3)(ii)(A) or (B) of this AD.

(A) If the test was done on or after the effective date of this AD: Submit the SAR017 data within 6 months after the completion of each air leak test and applicable corrective actions required by this AD.

(B) If the test was done before the effective date of this AD: Submit the SAR017 data within 6 months after the effective date of this AD.

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0058R2.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, mail it to the address identified in paragraph (j) of this AD. Information may be emailed to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (i)(2) of this AD, if any material referenced in EASA AD 2024–0058R2 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The

instructions in paragraphs, including subparagraphs under those paragraphs, not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

(j) Additional Information

For more information about this AD, contact Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3225; email: *dan.rodina@faa.gov.*

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0058R2, dated October 4, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website *ad.easa.europa.eu.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th Street, Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations,* or email *fr.inspection@nara.gov.*

Issued on March 6, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–04334 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–2315; Project Identifier AD–2023–00537–T; Amendment 39–22988; AD 2025–05–16]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737–800 series airplanes. This AD was prompted by a determination that the compliance time for the initial ultrasonic inspection required by AD 2019–11–06 is insufficient for certain airplanes. This AD requires reducing the compliance time for the ultrasonic inspection of the skin under the drag link assembly. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 22, 2025.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of April 22, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2315; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110 SK57, Seal Beach, CA 90740–5600; telephone 562 797 1717; website *myboeingfleet.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–2315.

FOR FURTHER INFORMATION CONTACT: Owen Bley-Male, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3992; email: *owen.f.bley-male@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 737–800 series airplanes. The NPRM published in the **Federal Register** on September 25, 2024 (89 FR 78260). The NPRM was prompted by a determination that the compliance time for the initial ultrasonic inspection required by AD 2019–11–06, Amendment 39–19652 (84 FR 27193, June 12, 2019) (AD 2019–11–06), is insufficient for Model 737–800 series airplanes that have been modified to a freighter configuration using Boeing Drawing 800A0003. In the NPRM, the FAA proposed to require reducing the compliance time for the ultrasonic inspection of the skin under the drag link assembly. The FAA is issuing this AD to address cracking found in the station (STA) 540 bulkhead chord and skin, which could result in the inability of a primary structural element to sustain limit load. The unsafe condition, if not addressed, could result in possible rapid decompression and loss of structural integrity of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from Boeing and an individual, who supported the NPRM without change.

The FAA received comments from Aviation Partners Boeing (APB) and an individual who supported the NPRM and had additional comments. The following presents the comments received on the NPRM and the FAA's response to each comment.

Limited Organization Designation Authorization (ODA) Approvals

APB stated that Boeing does not have a delegation to approve repairs in areas affected by the split scimitar winglet configuration of Supplemental Type Certificate (STC) ST00830SE. APB also commented that approval by The Boeing Company Organization Designation Authorization (ODA), as specified in paragraph (j)(3) of the proposed AD, may not be given for an alternative method of compliance (AMOC) for alternative inspections and corrective actions in those areas, but such approval must be obtained as specified in paragraph (j)(1) of the proposed AD.

APB added that Boeing retains approval delegation for findings related to fuselage structures affected by the proposed rule.

The FAA acknowledges and concurs with APB's assertions. However, no change to this AD is necessary. Paragraphs (g)(1) and (2) of this AD state that AMOC approval be obtained using a method approved in accordance with the procedures specified in ''paragraph (j)'' of this AD, and does not limit approvals to the provisions of paragraph (j)(1) or (3) of this AD. Therefore, AMOC approval in accordance with paragraphs (j)(1) or (3) of this AD would be provided based on whether the actions needing an AMOC apply to the APB design or the Boeing design.

Effect of Winglets on Accomplishment of the Proposed Actions

APB stated that accomplishing STC ST00830SE does not affect the actions specified in the proposed AD.

The FAA concurs with the commenter. The FAA has redesignated paragraph (c) of the proposed AD as paragraph (c)(1) of this AD and added paragraph (c)(2) to this AD to state that installation of STC ST00830SE does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST00830SE is installed, a ''change in product'' AMOC approval request is not necessary to comply with the requirements of 14 CFR 39.17.

Request for More Detailed AMOC Criteria

An individual suggested including more detailed criteria for what would be considered an acceptable AMOC. The individual reasoned that clear and specific guidelines for AMOCs would provide greater clarity and consistency, helping to ensure that any AMOC would meet safety standards.

The FAA agrees to clarify. The AMOC process is outlined in 14 CFR 39.17 and 39.19, which specify that any AMOC request must include the specific actions proposed to address the unsafe condition, and that the proposed actions must provide an acceptable level of safety. AMOCs may be requested under the provisions of paragraph (j) of this AD. An AMOC may be applicable only to a specific airplane (*e.g.,* to repair cracks) or to an entire fleet (*e.g.,* to use revised service information). The FAA has therefore determined that adding additional AMOC guidelines or criteria to this AD is unnecessary. The FAA has not changed this AD in this regard.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Terminating Action for Certain Requirements of AD 2019–11–06

Accomplishing the actions required by this AD replaces the corresponding initial ultrasonic inspections and on-condition actions required by paragraph (g) of AD 2019–11–06 for Model 737–800 series airplanes converted to a freighter configuration using Boeing Drawing 800A0003 only.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018. This material specifies an ultrasonic inspection of the skin under the drag link assembly and repair for any cracks; repetitive inspections for any cracks, including ultrasonic inspections, high frequency eddy current inspections, low frequency eddy current inspections, and detailed inspections; and a preventative modification if no crack is found.

The FAA also reviewed Boeing 737–800BCF Airworthiness Limitations, D140A006, Revision L, dated April 1, 2021. This material contains required inspections for principal structural element items. Section 5.2.1 of this material identifies the airplanes affected by this AD.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 18 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Initial inspection	Up to 23 work-hours × $85 per hour = Up to $1,955.	$0	Up to $1,955	Up to $35,190.

The FAA estimates the following costs to do any on-condition actions that would be required based on the results of the inspection. The agency has no way of determining the number of airplanes that might need these actions:

ESTIMATED COSTS FOR ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 56 work-hours × $85 per hour = Up to $4,760	$24,020	Up to $28,780.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce.

This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–05–16 The Boeing Company: Amendment 39–22988; Docket No. FAA–2024–2315; Project Identifier AD–2023–00537–T.

(a) Effective Date

This airworthiness directive (AD) is effective April 22, 2025.

(b) Affected ADs

This AD affects AD 2019–11–06, Amendment 39–19652 (84 FR 27193, June 12, 2019) (AD 2019–11–06).

(c) Applicability

(1) This AD applies to The Boeing Company Model 737–800 series airplanes, certificated in any category, that have been converted to a freighter configuration using Boeing Drawing 800A0003 before April 1, 2021, and are identified as Group A in Section 5.2.1, ''Effectivity,'' of Boeing 737–800BCF Airworthiness Limitations, D140A006, Revision L, dated April 1, 2021.

Note 1 to paragraph (c)(1): Airplanes with a 737–800BCF designation are Model 737–800 series airplanes that have been converted to a freighter configuration using Boeing Drawing 800A0003.

(2) Installation of Supplemental Type Certificate (STC) ST00830SE does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST00830SE is installed, a ''change in product'' alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by a determination that the compliance time for the initial ultrasonic inspection of the skin under the drag link assembly required by AD 2019–11–06 must be reduced for certain airplanes. The FAA is issuing this AD to address cracking found in the station (STA) 540 bulkhead chord and skin, which could result in the inability of a primary structural element to sustain limit load. The unsafe condition, if not addressed, could result in possible rapid decompression and loss of structural integrity of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) For airplanes identified as Group 1, Configuration 2, 3, 4, or 5, or as Group 5 in Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018: At the compliance time specified in paragraph (g)(1)(i), (ii), (iii), or (iv) of this AD, whichever occurs last, perform an ultrasonic inspection of the skin under the drag link assembly in accordance with the Accomplishment Instructions, Part 2, of Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018. Do all applicable on-condition actions for the Part 2 inspection at the times specified in paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018, except where Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018, specifies contacting Boeing for repair instructions, this AD requires doing the repair using a method approved in accordance with paragraph (j) of this AD.

(i) Before the airplane accumulates 17,000 total flight cycles.

(ii) Within 5,000 flight cycles after July 17, 2019 (the effective date of AD 2019–11–06).

(iii) Within 12 months after the effective date of this AD.

(iv) Within 1,000 flight cycles after the effective date of this AD.

(2) For airplanes identified as Group 1, Configuration 1, 3, or 4 in Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018: At the compliance time specified in paragraph (g)(2)(i), (ii), (iii), or (iv) of this AD, whichever occurs last, perform an ultrasonic inspection of the repair tripler under the drag link assembly in accordance with the Accomplishment Instructions, Part 6, of Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018. Do all applicable on-condition actions for the Part 6 inspection at the times specified in paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018, except where Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018, specifies contacting Boeing for repair instructions, this AD requires doing the repair using a method approved in accordance with paragraph (j) of this AD.

(i) Before the airplane accumulates 30,000 total flight cycles.

(ii) Within 5,000 flight cycles after July 17, 2019 (the effective date of AD 2019–11–06).

(iii) Within 12 months after the effective date of this AD.

(iv) Within 1,000 flight cycles after the effective date of this AD.

(i) Terminating Action for Certain Requirements of AD 2019–11–06

Accomplishing the actions required by this AD replaces the corresponding initial ultrasonic inspections and on-condition actions required by paragraph (g) of AD 2019–11–06 for Model 737–800 series airplanes converted to a freighter configuration using Boeing Drawing 800A0003 only.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: *AMOC@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Related Information

For more information about this AD, contact Owen Bley-Male, Aviation Safety Engineer, FAA, 2200 South 216th St., Des

Moines, WA 98198; phone: 206–231–3992; email: *owen.f.bley-male@faa.gov.*

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing 737–800BCF Airworthiness Limitations, D140A006, Revision L, dated April 1, 2021.

(ii) Boeing Alert Service Bulletin 737–53A1368, dated February 27, 2018.

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

Issued on March 7, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division,Aircraft Certification Service.

[FR Doc. 2025–04319 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–2330; Project Identifier MCAI–2024–00393–T; Amendment 39–22983; AD 2025–05–11]

RIN 2120–AA64

Airworthiness Directives; ATR—GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all ATR—GIE Avions de Transport Régional Model ATR42 and ATR72 airplanes. This AD was prompted by a report of a manufacturing defect identified in the lavatory fire extinguisher. This defect could potentially result in leakage at the eutectic tip, leading to a loss of pressure in the cylinder, making fire extinguishing capabilities ineffective. This AD requires an inspection (*i.e.,* weight check) and replacement, as applicable, of certain lavatory compartment fire extinguishers, and also prohibits the installation of affected parts, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference (IBR). The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 22, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 22, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2330; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–2330.

FOR FURTHER INFORMATION CONTACT: Shahram Daneshmandi, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3220; email *shahram.daneshmandi@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Model ATR42–200, ATR42–300, ATR42–320, and ATR42–500 airplanes; and Model ATR72–101, ATR72–102, ATR72–201, ATR72–202, ATR72–211, ATR72–212, and ATR72–212A airplanes. The NPRM published in the **Federal Register** on October 10, 2024 (89 FR 82190). The NPRM was prompted by AD 2024–0132, dated July 9, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024–0132) (also referred to as the MCAI). The MCAI states a manufacturing defect was identified in the lavatory fire extinguisher. This defect could potentially result in leakage at the eutectic tip, leading to a loss of pressure in the cylinder, making fire extinguishing capabilities ineffective. This condition, if not detected and corrected, in combination with fire in the lavatory waste bin, could result in the propagation of an uncontrolled fire.

In the NPRM, the FAA proposed to require an inspection (*i.e.,* weight check) and replacement, as applicable, of certain lavatory compartment fire extinguishers, as specified in EASA AD 2024–0132. The NPRM also proposed to prohibit the installation of affected parts, as specified in EASA AD 2024–0132. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–2330.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

The FAA received additional comments from an individual. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Revise Applicability

An individual requested that the FAA exclude certain airplanes from the proposed AD. The commenter stated the proposed AD is redundant if an aircraft has at least one additional fire extinguisher on board. The commenter stated that if the AD was narrowly written, it would not apply to aircraft that have at least one non-affected fire extinguisher on the aircraft and that while the proposed AD prioritizes safety, it is highly burdensome. The commenter stated that the AD should be inapplicable to aircraft that have multiple fire extinguishers.

The FAA disagrees with this request. The AD requires inspection and replacement of a specific lavatory fire extinguisher with a known manufacturing defect. In addition, 14

CFR 121.308 requires that each lavatory on all passenger-carrying airplanes be equipped with a built-in fire extinguisher for each disposal receptacle. Even if there are other non-affected fire extinguishers on an airplane, that airplane must still have a functional fire extinguisher in each lavatory. Therefore, the AD is necessary to address a known unsafe condition. The FAA has not changed this AD as a result of this comment.

Additional Changes Made to This AD

In the NPRM, the FAA inadvertently included reference to paragraph (i) of this AD in paragraph (g) of this AD. The FAA has revised paragraph (g) of this AD to remove the unneeded reference to paragraph (i) of this AD.

Further, the FAA has revised the applicability to remove the reference to ''as identified in European Union Aviation Safety Agency AD 2024–0132, dated July 9, 2024 (EASA AD 2024–0132).'' The FAA removed this statement as it is unnecessary because all airplanes are already captured without needing to reference the EASA AD. This further clarifies that ATR42–400 airplanes are not part of the applicability as Model ATR42–400 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2024–0132 specifies procedures for the inspection (*i.e.,* weight check) and replacement, if any discrepancy is found (*i.e.,* the measured weight is more than 2.0 grams below the gross weight stated on the product label), of certain lavatory compartment fire extinguishers and prohibits the installation of affected parts. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates this AD affects 77 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTION

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$6,545

The FAA estimates the following costs to do any necessary on-condition action that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need this on-condition action:

ESTIMATED COSTS OF ON-CONDITION ACTION

Labor cost	Parts cost	Cost per product
1 work-hour × $85 per hour = $85	$640	$725

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–05–11 ATR—GIE Avions de Transport Régional: Amendment 39–22983; Docket No. FAA–2024–2330; Project Identifier MCAI–2024–00393–T.

(a) Effective Date

This airworthiness directive (AD) is effective April 22, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all ATR—GIE Avions de Transport Régional Model ATR42–200, ATR42–300, ATR42–320, and ATR42–500 airplanes; and Model ATR72–101, ATR72–102, ATR72–201, ATR72–202, ATR72–211, ATR72–212, and ATR72–212A airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire protection.

(e) Unsafe Condition

This AD was prompted by a report of a manufacturing defect identified in the lavatory fire extinguisher. This defect could potentially result in leakage at the eutectic tip, leading to a loss of pressure in the cylinder, making fire extinguishing capabilities ineffective. The FAA is issuing this AD to address this condition, which, if not detected and corrected, in combination with fire in the lavatory waste bin, could result in the propagation of an uncontrolled fire.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0132, dated July 9, 2024 (EASA AD 2024–0132).

(h) Exceptions to EASA AD 2024–0132

(1) Where EASA AD 2024–0132 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2024–0132 defines a serviceable part as ''Any lavatory (waste bin) compartment fire extinguishers, eligible for installation in accordance with ATR instructions, which is not an affected part,'' this AD requires replacing that text with ''Any lavatory (waste bin) compartment fire extinguishers, eligible for installation, which is not an affected part.''

(3) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0132.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or ATR—GIE Avions de Transport Régional's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(j) Additional Information

For more information about this AD, contact Shahram Daneshmandi, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3220; email *shahram.daneshmandi@faa.gov*.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0132, dated July 9, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu*. You may find this material on the EASA website at *ad.easa.europa.eu.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations,* or email *fr.inspection@nara.gov.*

Issued on March 6, 2025.

Steven W. Thompson,

Acting Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2025–04389 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–2554; Project Identifier MCAI–2024–00492–T; Amendment 39–22989; AD 2025–06–01]

RIN 2120–AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. This AD was prompted by a design review that discovered software protection logic for potential large leaks from the engine bleed duct inside the engine core compartments was partially impaired. This AD requires revising the existing airplane flight manual (AFM) to incorporate the procedures for the flightcrew to manually isolate the opposite functional engine in the event of an engine bleed duct large leak condition, as specified in a Transport Canada AD, which is incorporated by reference (IBR). The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 22, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 22, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2554; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

• For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5,

Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*. You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation*.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–2554.

FOR FURTHER INFORMATION CONTACT: Joseph Catanzaro, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. The NPRM published in the **Federal Register** on December 13, 2024 (89 FR 100923). The NPRM was prompted by AD CF–2024–30, dated August 27, 2024, issued by Transport Canada, which is the aviation authority for Canada (Transport Canada AD CF–2024–30) (also referred to as the MCAI). The MCAI states a design review discovered software protection logic for potential large leaks from the engine bleed duct inside the engine core compartments was partially impaired. Under certain large leak conditions (*e.g.,* a duct burst at a specific portion of the engine's bleed ducting), Pratt & Whitney's PW1500G engine's electronic engine control (EEC) would not transmit the necessary information to the aircraft controller to automatically isolate the opposite engine from the leak path in the bleed system. This failure condition could lead to a dual engine failure.

In the NPRM, the FAA proposed to require revising the existing AFM to incorporate the procedures for the flightcrew to manually isolate the opposite functional engine in the event of an engine bleed duct large leak condition, as specified in Transport Canada AD CF–2024–30.

The FAA is issuing this AD to address the unsafe condition on these products. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–2554.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF–2024–30 specifies procedures for revising the ''Non-Normal Procedure'' of the AFM to incorporate the procedures for the flightcrew to manually isolate the opposite functional engine in the event of an engine bleed duct large leak condition. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 132 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$11,220

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–06–01 Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Amendment 39–22989; Docket No. FAA–2024–2554; Project Identifier MCAI–2024–00492–T.

(a) Effective Date

This airworthiness directive (AD) is effective April 22, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Canada Limited Partnership (Type Certificate previously held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Model BD–500–1A10 and BD–500–1A11 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 72, Turbine/turboprop engine.

(e) Unsafe Condition

This AD was prompted by a design review that discovered software protection logic for potential large leaks from the engine bleed duct inside the engine core compartments was partially impaired. Under certain large leak conditions (*e.g.,* a duct burst at a specific portion of the engine's bleed ducting), Pratt & Whitney's PW1500G engine's electronic engine control (EEC) would not transmit the necessary information to the aircraft controller to automatically isolate the opposite engine from the leak path in the bleed system. The FAA is issuing this AD to address the unsafe condition, which if not addressed, could result in dual engine failure.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with Transport Canada AD CF–2024–30, dated August 27, 2024 (Transport Canada AD CF–2024–30).

(h) Exception to Transport Canada AD CF–2024–30

(1) Where Transport Canada AD CF–2024–30 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph B. of Transport Canada AD CF–2024–30 specifies to ''inform all flight crews of these changes in the AFM procedures and thereafter operate the aeroplane accordingly,'' this AD does not require those actions as those actions are already required by existing FAA operating regulations (see 14 CFR 91.9, 14 CFR 91.505, and 14 CFR 121.137).

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or Transport Canada; or Airbus Canada Limited Partnership's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

For more information about this AD, contact Joseph Catanzaro, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.*

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Transport Canada AD CF–2024–30, dated August 27, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca,* You may view this material on the Transport Canada website at *tc.canada.ca/en/aviation.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations,* or email *fr.inspection@nara.gov.*

Issued on March 11, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–04320 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2023–0625; FRL–11613–02–R9]

Air Plan Approval; California; Eastern Kern Air Pollution Control District; Tehama County Air Pollution Control District; San Diego County Air Pollution Control District; Emissions Statement Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions, under the Clean Air Act (CAA or ''Act''), to portions of the California State Implementation Plan (SIP) regarding emissions statements (ES) requirements for the 2015 ozone national ambient air quality standards (NAAQS). In addition, we are approving that the following California nonattainment areas meet the ES requirements for the 2015 ozone NAAQS: Tuscan Buttes, Kern County (Eastern Kern), and San Diego County.

DATES: This rule is effective April 17, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2023–0625. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please

contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Sina Schwenk-Mueller, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947–4100 or by email at *schwenkmueller.sina@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to the EPA.

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I. Proposed Action
II. Public Comments and EPA Responses
III. EPA Action
IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Proposed Action

On July 12, 2024, (89 FR 57120), the EPA proposed to approve the following rules into the California SIP.

Agency	Rule No.	Rule title	Amended/ adopted	Submitted
Eastern Kern Air Pollution Control District (APCD)	Rule 108.2	Emission Statement Requirements	8/4/22	12/7/22
Tehama County APCD	Rule 2:20	Emissions Statement	3/1/22	7/5/22
San Diego County APCD	Rule 19.3	Emission Information	12/9/21	3/9/22

These rules were submitted by the relevant counties to fulfill CAA section 182(a)(3)(B) ES requirements. We proposed to approve these rules because we determined that they comply with the relevant CAA requirements. Our proposed action contains more information on the rules and our evaluation.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received one comment asserting that indoor cannabis growth is responsible for significant emissions of greenhouse gases. We acknowledge the information provided by the commenter regarding the potential for the cannabis cultivation industry to be a source of greenhouse gas emissions. As noted above and in our proposal notice, this action concerns administrative emission statement requirements under CAA section 182(a)(3)(B). As a result, we do not consider this comment to be germane because it is outside the scope of our proposed action.

III. EPA Action

No comments were submitted that change our assessment of the rules as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is approving these rules into the California SIP. There are no previous versions of Tehama County APCD Rule 2:20 in the SIP. The December 9, 2021 version of San Diego County APCD Rule 19.3 and the August 4, 2022 version of Eastern Kern APCD Rule 108.2 will replace the previously approved versions of these rules in the SIP.

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of Eastern Kern APCD Rule 108.2 (amended 8/4/22), Tehama County APCD Rule 2:20 (adopted 3/1/22), and San Diego County APCD Rule 19.3 (adopted 12/9/21). The APCD rules regulate ES requirements for the 2015 ozone NAAQS. The EPA has made, and will continue to make, these documents available through *www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 19, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to

enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 28, 2025.

Cheree D. Peterson,

Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(190)(i)(E)(*2*), (c)(241)(i)(A)(*9*), (c)(604)(i)(A)(*2*), (c)(607)(i)(D), and (c)(625) to read as follows:

§ 52.220 Identification of plan—in part.

* * * * *

(c) * * * *

(190) * * *

(i) * * *

(E) * * *

(*2*) Previously approved on May 26, 2004, in paragraph (c)(190)(i)(E)(*1*) of this section and now deleted with replacement in (c)(625)(i)(A)(*1*) of this section: Rule 108.2, adopted on July 13, 1992.

* * * * *

(241) * * * *

(i) * * * *

(A) * * * *

(*9*) Previously approved on March 9, 2000, in paragraph (c)(241)(i)(A)(*4*) of this section and now deleted with replacement in (c)(604)(i)(A)(*2*) of this section: Rule 19.3, adopted on May 15, 1996.

* * * * *

(604) * * * *

(i) * * * *

(A) * * * *

(*2*) Rule 19.3, ''Emission Information,'' adopted on December 9, 2021.

* * * * *

(607) * * * *

(i) * * * *

(D) Tehama County Air Pollution Control District.

(*1*) Rule 2:20, ''Emissions Statement,'' adopted on March 1, 2022.

(*2*) [Reserved]

* * * * *

(625) The following regulation was submitted on December 7, 2022, by the Governor's designee as an attachment to a letter dated November 30, 2022.

(i) *Incorporation by reference.*

(A) Eastern Kern Air Pollution Control District.

(*1*) Rule 108.2, ''Emissions Statement Requirements,'' amended on August 4, 2022.

(*2*) [Reserved]

(B) [Reserved]

(ii) [Reserved]

* * * * *

[FR Doc. 2025–04036 Filed 3–17–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 4

[Docket No. DOI–2022–0010; Deposit Account]

RIN 1094–AA57

Practices Before the Department of the Interior; Further Delay of Effective Date

AGENCY: Office of Hearings and Appeals, Interior.

ACTION: Interim final rule; further delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2025, from President Donald J. Trump, entitled ''Regulatory Freeze Pending Review,'' this action provides a second notification to delay the effective date of the interim final rule published on January 10, 2025, until May 5, 2025.

DATES: As of March 13, 2025, the effective date of the rule published at 90 FR 2332 on January 10, 2025, delayed to March 21, 2025 at 90 FR 9222, is further delayed until May 5, 2025.

FOR FURTHER INFORMATION CONTACT: Rachel R. Lukens, telephone: (703) 235–3810, email: *Rachel_Lukens@oha.doi.gov.* Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The interim final rule, ''Practices Before the Department of the Interior,'' published on January 10, 2025, at 90 FR 2332, included a 30-day public comment period that ends on February 10, 2025. The effective date of the interim final rule was February 10, 2025. The Office of Hearings and Appeals (OHA) is taking this action in accordance with Memorandum M–25–10 of January 20, 2025, from the Executive Office of the President, Office of Management and Budget, Implementation of Regulatory Freeze, regarding the postponement of effective dates of certain published regulations. The memorandum directed the heads of Executive Departments and Agencies to consider postponing for sixty days from the date of the memorandum the effective date for any rules that have been published in the **Federal Register**, or any rules that have been issued in any manner but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy that the rule may raise. On February 10, 2025, OHA published a notification delaying the effective date (90 FR 9222) for the interim final rule published at 90 FR 2332 to March 21, 2025. This second notification further delays the effective date to May 5, 2025, to provide for Department review. OHA is extending the effective date of the interim final rule without opportunity for public comment and making the extension effective immediately, based on the good cause exemptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment on the extension is impracticable, unnecessary, and contrary to the public interest. This second delay of the effective date until May 5, 2025, is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the memorandum of the President, dated January 20, 2025. Given the imminence of the effective date of the interim final rule, seeking prior public comment on this delay is impractical, and contrary to the public interest in the orderly promulgation and implementation of regulations. For the foregoing reasons, the good cause exception in 5 U.S.C. 553(d)(3) also applies to OHA's decision to make this action effective immediately.

Tyler Hassen,

Senior Advisor to the Secretary, Exercising the Delegated Authority of the Assistant Secretary for Policy, Management and Budget.

[FR Doc. 2025–04310 Filed 3–13–25; 4:15 pm]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 10

[PS Docket Nos. 15–91 and 15–94; FCC 25–14; FR ID 284585]

Wireless Emergency Alerts; Emergency Alert System

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) revises the Wireless Emergency Alerts (WEA) rules to allow alert originators the option to send ''silent alerts'' that do not trigger WEA's common audio attention signal or vibration cadence. This action grants alert originators greater flexibility in tailoring how WEA messages are presented. Further, to make as clear as possible to the public that any device marketed as a ''WEA-capable mobile device'' adheres to the full suite of WEA capabilities, the Commission also adopts its proposals to define a ''WEA-capable mobile device,'' for the purpose of compliance with the Commission's WEA requirements.

DATES: The definitions of a WEA-capable mobile device and a mobile device for the purpose of WEA (section 10.10(j) through (m)), along with conforming edits (to the introductory text of section 10.500, section 10.500(i) through (j), the introductory text of section 10.520, and the introductory text of section 10.530), will become effective September 15, 2025. The silent alert rules adopted herein (sections 10.490 and 10.530(d)) will become effective March 18, 2028.

FOR FURTHER INFORMATION CONTACT: David Kirschner, Attorney-Advisor, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418–0695, or by email to *david.kirschner@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Seventh Report and Order (R&O), PS Docket Nos. 15–91 and 15–94; FCC 25–14, adopted February 27, 2025, and released February 28, 2025. The full text of this document is available by downloading the text from the Commission's website at: *https://www.fcc.gov/document/fcc-makes-weas-more-responsive-public-safety-and-consumer-needs.* The full text of this document will also be available for public inspection and copying during regular business hours in the FCC Reference Center, 45 L Street NE, Washington, DC 20554. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *FCC504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

A proposed rule relating to Wireless Emergency Alerts and the Emergency Alert System is published elsewhere in this issue of the **Federal Register**.

Synopsis

I. Report and Order

A. Silent Alerts

1. To ensure that WEA remains a tool that alert originators can use to save lives and property in their states and in their communities without prompting widespread opt out, and to promote WEA's versatility to be used across a variety of circumstances and different times of day, we adopt our proposal to require Participating CMS Providers to support ''silent alerts.'' A silent alert is an alert that, at an alert originator's discretion, is presented without either the common audio attention signal, the common vibration cadence, or both. To ensure that WEAs sent without the Attention Signal can remain accessible to individuals with disabilities, we also require ''WEA-capable mobile devices'' to include the option to enable the presentation of the common vibration cadence for all WEA Alert Messages. If selected, that option must override the alert originator's selection on that device. We decline to adopt our proposal that Participating CMS Providers provide their subscribers with the option to durably turn off WEA's audio attention signal and vibration cadence for all alerts, which was opposed by commenters, because we agree with commenters that giving consumers this option risks increasing the rate at which people fail to notice Imminent Threat Alerts to which they must react immediately to protect their lives and property.

2. This action addresses concern in the record that the mandatory use of the Attention Signal with every WEA is limiting the situations where the benefits of using WEA outweigh the potential drawbacks. The National Ashanti Alert Network Stakeholder Working Group and Pilot Project Participants Working Group, groups established by the Department of Justice to create and share promising practices for missing adult alerts, jointly state that ''WEA is a fantastic tool but is currently limited by the jarring alert tone that is currently associated with each and every activation.'' They observe that WEA activations cause complaints when the public does not interpret the intrusiveness of the WEA Attention Signal as commensurate with the alert's relevance. They characterize the ''blackout'' periods that some alert originators have chosen to implement to spare the public from being awoken by a WEA at night as (in the case of AMBER Alerts) a ''disservice to those who are missing and could be helped as there are many individuals who are awake and active (*e.g.,* truck drivers) who could receive an alert and provide valuable assistance in locating a missing adult.''

3. Comments reflect that alert originators are generally best positioned to make the important decision of whether an alert will trigger the Attention Signal. The approach that we adopt today gives alerting authorities the ''maximum flexibility'' that alert originators like King County, Washington Emergency Management and New York City Emergency Management state that they need to increase the effectiveness of alerts.

4. WEA is a powerful tool. We recognize the perspective of ATIS and Several Colorado Agencies that ''adding an option to be exercised by the alert originator in the moment, such as whether to include the audio attention signal, increases the potential for human error.'' There is a risk of alert originators ''erroneously setting the 'silent' notification for alerts where a notification is needed (*e.g.,* tornado)[,which] may result in citizens missing a WEA, putting them at risk.'' We believe, however, that alert originators are the right stakeholders in the WEA system to manage this risk. King County, Washington Emergency Management observes that some alert originators already have experience determining whether to associate an audio attentional signal and vibration cadence with alerts based on the alert's urgency when they transmit those alerts via private mass notification systems. Even for alert originators that do not yet have experience controlling how the Attention Signal is presented along with their alerts, we believe that their experience managing emergencies in their communities is the most relevant to making decisions about how emergency alerts are presented. We therefore agree with AT&T that we should not attempt to establish ''alert signal suppression rules for specific classes of WEA alerts that would remove the decision-making power from Alert Originators'' and decline New York City Emergency Management's request that we limit alert originators' discretion in the use of silent WEAs to

specific situations or specific alert message classifications. We encourage alert origination software developers to recognize the difficult task that alert originators confront and design this aspect of their alert origination software to be ''configurable by each alerting authority'' to maximize each agency's potential for effective alerting and minimize opportunity for error.

5. The record reflects that the ability to send silent alerts will be particularly useful in three scenarios: (1) AMBER Alerts, Missing and Endangered Persons (MEP) Alerts, and Blue Alerts sent either statewide or overnight; (2) follow-up messaging to relay additional, essential actions likely to save lives and/or safeguard property during ongoing emergencies; and (3) active shooter situations. While using silent alerts in these scenarios cannot completely eliminate the reasons for which people opt out of WEA, we agree with alert originators that use of silent alerts in the first two use cases can limit alert fatigue, which can reduce the rate of consumer opt out, and ultimately result in more people being opted in when their local alert originator sends an alert that could save their life. Alert originators also state that the ability to suppress the Attention Signal would make them more likely to send AMBER Alerts, MEP Alerts, and Blue Alerts during the evening and night when people are likely to be asleep. Sending these types of WEAs silently will make it possible for individuals that are awake and interacting with their mobile devices to receive and act upon the messages, including by rendering assistance to law enforcement, while avoiding the risk that such message will awaken or otherwise disturb people that might respond to the intrusion by opting out of receiving WEAs going forward. The National Weather Service and the United States Geological Survey recognize the value that silent WEAs would offer for the transmission of essential information after the initial alert about weather that poses an imminent threat and about earthquakes, respectively. Commenters state that the ability to suppress the Attention Signal for active shooter alerts will make it more likely that they will use WEA as a tool to keep people safe during such events because it will enable them to silently deliver WEAs that can direct people to avoid the area where the shooter is active while avoiding the risk that the Attention Signal will betray the location of people that need to remain hidden to stay safe. In light of this clear record, we decline CTIA's request that we seek further comment on whether the benefits of silent alerts outweigh the risks.

6. We agree with ATIS and CTIA that ''the absence of any attention signal or vibration cadence will require the user to look at the mobile device display when the WEA is presented in order to be alerted'' and that this creates ''a risk that the user may be distracted away from their device because of the event and may miss any incoming WEA,'' which would generally make those WEAs less effective. Accordingly, we take this opportunity to amplify the guidance that alert originators offer in this proceeding about how this new capability can maximize the effectiveness of WEA:

- When there is an imminent threat to life, emergency alerts ''must get the attention of the targeted audience and compel review of the content.'' There is an exception, however, for situations in which the audible delivery of the WEA Attention Signal could jeopardize the lives of those receiving the alerts, as described in the following bullet.
- Suppress the Attention Signal (1) when its presentation could jeopardize the lives of those receiving the alerts, including during active shooter situations, or (2) in situations where the receipt of a WEA has been shown to prompt recipients to opt out of receiving alerts, such as statewide AMBER and Blue Alerts.
- Public safety messages that accompany Imminent Threat Alerts and that provide essential advisories, like boil water orders, may be issued as silent alerts.
- State/Local WEA Tests should use the Attention Signal because people do not receive State/Local WEA Tests at all unless they have affirmatively opted in to receive them. Therefore, use of the Attention Signal ''allows for public education on what the tone sounds like, ensuring the tone is working . . . in a controlled environment that would not increase opt-outs.''

We encourage but do not require alert originators to follow this guidance or to develop their own internal policies and procedures for determining whether and how to use the Attention Signal in their alerts. It will be important for alert originators to create and follow best practices about the use of silent alerts so that their use enhances, rather than limits WEA's efficacy.

7. Our action today to require that Participating CMS Providers and equipment manufacturers may only market a mobile device for public use under part 10 as a ''WEA-capable mobile device'' if the mobile includes a vibration cadence capability that enables subscribers to override alert originators' suppression of the common vibration cadence will also enhance WEA's efficacy. Ricky Harris, a Deaf resident of Houston, Texas, explains the challenges that individuals who are deaf and hard of hearing face during unpredictable thunderstorms and flash floods in his neighborhood: ''I relied on guesswork and observation to navigate. Unfortunately, I was completely unaware that radio broadcasts were already issuing specific evacuation routes. This lack of information put me in danger and left me vulnerable. People later questioned my route choice, unaware of the communication gap I had experienced.'' With the action that we take today, individuals who are deaf and hard of hearing will have the option to ensure that the common vibration cadence is always presented along with their WEA messages, irrespective of the alert originator's selection, which will draw their attention to the arrival of a WEA. New York City Emergency Management notes that using the vibration cadence alone can be sufficient to get people's attention in a range of scenarios. The vibration cadence can be felt, including by many people with disabilities, when the mobile device is in contact with their body, and can often be heard when the mobile device is in contact with another surface. In this way, the action that we take today realizes, in part, the advocacy objectives of New York City Emergency Management and a coalition of Accessibility Organizations and Academics, that ''users—not providers or alerting authorities—decide whether to silence WEAs or cancel vibration cadences to avoid a one-size-fits-all approach to WEA notifications.'' While the approach that we adopt today gives alerting authorities discretion over whether to transmit a silent alert, bearing in mind the needs of individuals with disabilities, those individuals will now be presented with greater control over their receipt of the common vibration cadence to strike the right balance for their individual needs. WEA-capable mobile devices must not, however, allow individuals to override alert originators' decision to suppress the audio attention signal; doing so would eliminate or seriously reduce the value of WEA in active shooter situations. If people are hiding together from an active shooter, any one of their devices emitting the audio attention signal would be sufficient to betray their location. While we understand CTIA's concern that allowing consumers to override the vibration cadence may potentially disclose a person's location during an active shooter situation, we

find that supporting the ability for individuals with disabilities to receive potentially lifesaving alerts via the vibration cadence outweighs the low risk that the relatively quiet presentation of the WEA vibration cadence will result in injury or loss of life.

8. We reject Several Colorado Agencies' recommended approach that the Commission ''require the audio attention signal for both EAS and WEA.'' We also reject the Language Accessibility in Alert and Warning Working Group and Regional Disaster Preparedness Organization of the Portland-Vancouver Metro Region's recommended approach that ''Alert Originators can set the WEA alert to one of three options: silent, follow the device's notification sound setting, or override and make sound and vibration.'' Accepting either of these recommendations would deprive consumers of the flexibility that they currently have under our rules to mute the Attention Signal, *e.g.,* by putting their device in do-not-disturb mode. We do not find removing this consumer choice to be in the public interest.

9. Nothing about the rule we adopt today would change functions that allow consumers to choose to opt out of receiving certain types of WEA messages, to mute the Attention Signal, or to specify vibration and audio attention signal presentation during active voice or data sessions. Participating CMS Providers and equipment manufacturers will still have the ability to implement a binary consumer opt out feature that defaults to have subscribers opted in to receive all WEA Alert Message classifications and their associated Attention Signal and that allows them to opt out of Imminent Threat Alerts, AMBER Alerts, and Public Safety Messages entirely. Participating CMS Providers and equipment manufacturers also may continue to enable subscribers to mute the Attention Signal using ''do not disturb'' and other mobile device capabilities for alerts where the Attention Signal is presented by default. Finally, Participating CMS Providers and equipment manufacturers may specify how the Attention Signal is presented during an active voice or data session, insofar as they currently take advantage of that flexibility and it remains relevant in the modern technological environment.

B. Required Mobile Device Capabilities

10. To allow consumers to be confident that they are informed about the WEA capabilities of the mobile devices they purchase and to more fully describe how the requirements that we adopt today apply to those devices, we adopt our proposed definitions of a ''mobile device'' for the purposes of WEA and a ''WEA-capable mobile device.'' We define a ''mobile device'' for the purpose of WEA as ''any customer equipment used to receive commercial mobile service.'' This definition of a mobile device for the purpose of WEA reflects the WARN Act's direction that the Commission ''adopt technical standards, protocols, procedures, and other requirements . . . necessary to enable commercial mobile service alerting capability.'' While it may be possible to deliver emergency alerts to customer wireless equipment that Participating CMS Providers sell by using a technology other than commercial mobile service, as a legal matter, we would not consider those emergency alerts to be WEAs. Defining a mobile device for the purpose of WEA as customer equipment that can receive commercial mobile service is also appropriate from a technical perspective. AT&T states that customer equipment needs to be able to attach to the commercial mobile service network to directly receive a WEA via cell broadcast, the technology generally used to transmit WEAs to mobile devices. We also continue to believe, as the Commission stated in the *2023 WEA Accessibility FNPRM,* that this definition of a ''mobile device'' for the purpose of WEA is appropriate because, unlike the part 10 rules' current definition of a mobile device, it acknowledges the possibility that equipment may not be technically capable of supporting WEA (*i.e.,* if it is not capable of receiving commercial mobile service). Distinguish this from a Non-service Initialized (NSI) phone. While NSI phones may not, in fact, receive commercial mobile service at a given point in time, they are technically capable of receiving commercial mobile service once service is initialized for the device. Therefore, NSI phones are ''used to receive commercial mobile service'' for the purpose of this rule and are ''mobile devices'' for the purpose of WEA. We clarify that Participating CMS Providers are not required to market NSI devices as ''WEA-capable,'' and may market them in this way conditionally (*e.g.,* ''WEA-capable upon activation of service''). NSI phones—like all mobile devices—may only be marketed as ''WEA-capable'' if the device complies with part 10, subpart E of our rules. At the same time, this definition is broad enough to potentially include devices that are commonly considered to be mobile devices, such as commercial mobile service-enabled tablets, wearables, or other non-smartphone devices. A device such as a tablet or wearable that connects to the internet solely by means other than commercial mobile service (*e.g.,* Wi-Fi) would not fall within section 10.10's ''mobile device'' definition. By contrast, devices such as tablets and wearables that support connection to the internet via commercial mobile service would be considered as mobile devices for the purpose of WEA under this rule.

11. The way that we define a mobile device for the purpose of WEA may include some smaller equipment that, AT&T opines, is not capable of presenting alert messages due to limitations such as chipset support, maintaining the form factor, and maintaining battery life. While this equipment may not have been designed with WEA in mind, the definition of a mobile device for the purpose of WEA that we adopt today signals to Participating CMS Providers and equipment manufacturers that consumers may expect those devices to be WEA-capable. Our adoption of this rule may prompt Participating CMS Providers and equipment manufacturers to consider whether smaller, wearable equipment that does not support WEA today can be made WEA-capable through changes to hardware or software. The definition of a mobile device for the purpose of WEA that we adopt today also excludes some devices that Participating CMS Providers sell. A smartwatch that is capable of only Wi-Fi or Bluetooth connectivity, for example, may be able to present a WEA to its wearer by receiving it through a WEA-capable smartphone to which it is tethered. We do not consider these devices to be ''mobile devices'' for the purpose of WEA, however, because their ability to receive a WEA is derivative of the device to which they are connected. Participating CMS Providers may continue to market this equipment for sale while continuing to participate in WEA ''in whole.''

12. As proposed, we define a ''WEA-capable mobile device'' as a mobile device that is compliant with all of the Commission's WEA rules. When the Commission adopted the definition of a ''mobile device'' for the purpose of WEA in 2012 in anticipation of the system's deployment, the primary distinction between mobile devices for the purpose of WEA was whether they could receive alert messages. Today, the wireless industry's public disclosures reflect that devices marketed for public use under part 10 support a wide array of WEA functionalities, but that not all mobile devices support all of WEA's required

features. The purpose of the rule we adopt today is to avoid consumer confusion about the WEA capabilities of mobile devices. We find that the rule we adopt today addresses any communication with consumers about the WEA capabilities of devices, which we could consider for purposes of these rules to be a form of marketing, regardless of whether a Participating CMS Provider would consider that communication to be a ''disclosure.'' We further note that sections 10.510, 10.520, and 10.530 of our rules already restrict how Participating CMS Providers and equipment manufacturers can ''market'' devices that support WEA, so we believe that it is appropriate to continue to use that language in the interest of consistency. To further ensure that consistency, we amend section 10.500 to continue to also use that ''marketing'' language. For example, T-Mobile markets as ''alert-capable'' Apple's iPhone 5, which is able to receive the basic 90-character maximum WEA text, but does not support clickable links, the preservation of alerts for user review, Spanish-language alerts, the presentation of alerts concurrent with active voice or data sessions, Public Safety Messages, State/Local WEA Tests, or enhanced geographic targeting. While, generally, mobile devices released after a rule's effective date support the features those rules require, Participating CMS Providers and equipment manufacturers have not pushed software updates necessary to enable new WEA features to mobile devices in the field that no longer support software updates. To account for the diversity among the WEA capabilities of mobile devices available today, we find it appropriate to update our regulatory framework to account for the extent to which the Commission has required WEA to evolve over the years to keep pace with advances in technology and changing consumer expectations for emergency communications. This change will promote informed consumer choice about the emergency alerting capabilities of mobile devices that consumers are considering for purchase.

13. We also make explicit that WEA-capable mobile devices must support each of the alert message requirements in part 10, subpart D. Specifically, a WEA-capable mobile device must support the WEA Alert Message classifications, device-based geo-targeting, Alert Messages that contain a maximum of 360 characters of alphanumeric text, embedded references, Spanish-language alerts, the silent alert feature we adopt today, and the basic equipment requirements codified in subpart E of the WEA rules. If the Commission were to adopt new alert message or equipment requirements in the future, the rules we adopt today would require devices to support those new requirements in order to continue to be considered to be WEA-capable, beginning on the deadline for the implementation of those requirements. However, devices can continue to be considered WEA-capable prior to that implementation deadline. Insofar as consumers make mobile device purchasing decisions based on marketed WEA capabilities, we believe that it is usually in connection with their purchase of a new device. According to ATIS, new mobile devices either support all of WEA's functions as of the date of their release, or they support none of them, which supports the binary distinction (''WEA-capable'' or not) that we adopt. Today, the term ''WEA-capable mobile device'' is undefined in our rules but Participating CMS Providers use it in their marketing materials to refer to new mobile devices as well as mobile devices that are over a decade old and support only the basic WEA functions available since 2012. The Language Accessibility in Alert and Warning Working Group, King County, Washington Emergency Management, Michigan State Police, the New York State Department of Homeland Security and Emergency Services, and the County of San Diego Department of Emergency Services support adoption of our proposed definition of a ''WEA-capable mobile device'' because clearly labeling devices that support all WEA functions promotes informed consumer choice about public safety services and promotes the use of mobile devices as disaster preparedness tools. We agree with APCO that ''the status quo approach to mobile device eligibility may mislead consumers into mistakenly believing that all [mobile devices marketed as] 'WEA-capable mobile devices' offer all WEA capabilities.'' Accordingly, we disagree with T-Mobile that whether a device supports the basic receipt of a WEA message is the most important criterion to the definition of a ''WEA-capable mobile device,'' and we disagree with Verizon that we should codify the WEA ''versions'' (*e.g.,* 1.0, 2.0, and 3.0) on which existing marketing materials rely.

14. We recognize other commenters' perspective that defining a WEA-capable mobile device as we do today could also be confusing. Indeed, as a result of our action today, many mobile devices that are compatible with presentation of WEAs will no longer be marketed as ''WEA-capable.'' By contrast to the status quo, we find this potential for confusion to be acceptable and mitigable. If a consumer is confused about the WEA capabilities of a mobile device marketed as WEA-capable as we define it today, it would only be the surprise of learning that a device, in fact, has WEA capabilities that it was not marketed as having. We find this to be preferable to the confusion that might result from purchasing a device marketed as ''WEA-capable'' only to discover that it supports fewer than all of WEA's capabilities. To ensure that customers can be well informed about the WEA service that they should expect to receive on devices marketed as ''WEA-capable,'' we direct the Public Safety and Homeland Security Bureau to publish a consumer guide and keep up to date information regarding the capabilities required of such devices.

15. Pursuant to the WARN Act, our rules permit CMS Providers to participate in WEA so long as at least one mobile device that they offer for sale is WEA-capable. We encourage Participating CMS Providers to make as many mobile devices as possible ''WEA-capable'' to ensure WEA is available on the types of devices often relied on by the public, including those with disabilities. New York City Emergency Management emphasizes the importance of preserving WEA compatibility for older devices that may no longer support over-the-air software upgrades necessary to comply with all the WEA equipment requirements, particularly for ''populations that may not have the resources to obtain a newer device.'' As AT&T, T-Mobile, and Verizon recognize, consumers with mobile devices that are no longer considered to be WEA-capable as a result of this regulatory change will continue to be able to receive WEAs on their mobile devices even though those devices do not support all WEA's features.

16. Finally, we make conforming edits to reflect that Participating CMS Providers and equipment manufacturers may market mobile devices irrespective of their WEA capabilities, but they will be prohibited from marketing a mobile device as a ''WEA-capable mobile device'' unless it complies with the revised WEA mobile device equipment requirements, including the ability to support silent alerts. Similarly included in this prohibition is marketing language that could mislead consumers into the mistaken belief that the device they are considering for purchase is compliant with the WEA rules (*e.g.,* ''Wireless Emergency Alert Compatible

Devices,'' ''alert-capable devices,'' or the identification of mobile device capabilities by version number, such as 1.0, 2.0, or 3.0).

C. Compliance Timeframes

17. The deadline for compliance with the silent alert requirements will be 36 months from the publication of this *Seventh Report and Order* in the **Federal Register**. The record shows that compliance with these requirements would necessitate technically feasible changes to applicable standards and software. Specifically, support for this capability will require updates to alert origination software, FEMA's Integrated Public Alert and Warning System (IPAWS), Participating CMS Providers' WEA systems, and mobile devices. AT&T synopsizes as follows how the capability to send silent alerts would be implemented: ''[i]t may be possible for Alert Originators to include an information element within a WEA message that would direct a user's device to suppress the alert signal while still displaying the WEA alert.'' To support the subscriber capability to override the alert originator's suppression of the common vibration cadence, mobile device manufacturers and operating system developers will need to determine how WEA-capable mobile devices display the option to override silent alerts. We agree with AT&T that these capabilities ''would require extensive study, standards development, testing, and deployment, and the Commission would need to provide sufficient time for these steps to be completed.'' We provide sufficient time with the compliance deadline that we adopt today. ATIS, AT&T, and FEMA recommend study ''of all potential use cases for the 'silent alert,' along with the pros/cons of a silent alert'' to give alert originators an opportunity to prepare best practices and procedures that enable them to use this capability effectively. We encourage our federal partners, such as FEMA and the National Weather Service and alert originators along with their advocacy groups, such as the National Emergency Management Association and the International Association of Emergency Managers, to conduct this study. We disagree with ATIS, however, that this study must ''be undertaken prior to any decision to move forward with design and implementation.'' Rather, we agree with AT&T that it is sufficient for this study to be completed before the capability's implementation because the study pertains to alert originators' use of the capability, not the technical feasibility of its implementation. While the record in this proceeding did not specifically quantify the amount of time that compliance would require, based on our experience with adopting other WEA requirements that have entailed at least this much technical development, we anticipate that 30 months will permit ample time for industry to complete the standards and software development work required to support this functionality while alert originators focus on developing best practices and use cases. However, we acknowledge that industry is already in the process of implementing new WEA capabilities. We acknowledge that the simultaneous adoption of several new WEA capabilities may potentially create resource constraints and cause delays to deployment, and therefore grant Participating CMS Providers an additional six months to implement silent alerts.

18. In adopting this 36-month compliance timeframe, we highlight that the date of required compliance marks the beginning, rather than the end, of the transition to full system support for this functionality. As AT&T and ATIS observe, at the outset there will be an ''inherent mix of handsets that can and cannot support this feature,'' but we disagree with AT&T that this will prevent the feature from being used. Rather, alert originators will determine the extent to which they will begin to use this feature on the date of required compliance in full knowledge of the limitations of handset support and with a reasonable expectation that handset support for the capability will mature over time. Our experience suggests that it will take about three years after the date of required compliance to reach 88% market penetration of mobile devices that support the capability to silence alerts. Out of an abundance of caution, and to ensure the continued accessibility of WEA, we emphasize that any mobile devices that do not support silent alerts as of the date of required compliance must present the Attention Signal for all alerts, subject to the consumer control over the presentation of the Attention Signal that our rules otherwise provide.

19. We believe it is particularly important that we adopt a definition of a WEA-capable mobile device in this *Seventh Report and Order* because, to maintain the accessibility of silent alerts for individuals with disabilities, the capability to support silent alerts must be accompanied by the capability to override the suppression of the vibration cadence. Prohibiting Participating CMS Providers and equipment manufacturers from marketing as WEA-capable mobile devices that support one of these capabilities, but not the other, will avoid the possibility that the adoption of this requirement renders silent WEAs inaccessible. To ensure that the public is able to realize the benefits of regulatory clarity that these new definitions provide and enable Participating CMS Providers to make any necessary adjustments to their marketing, these rule revisions will become effective 180 days after the publication of this *Seventh Report and Order* in the **Federal Register**. We join FEMA in encouraging standards bodies and mobile device manufacturers to consider solutions for the silent alerting functionality that support backwards compatibility with older systems to hasten the deployment of this feature and increase the availability of WEA-capable mobile devices.

D. Analysis of Costs and Benefits

20. We find that the benefits of requiring compliance with this requirement exceed the anticipated costs. Commenters generally agree with our proposal that giving alert originators the ability to suppress presentation of the Attention Signal during active shooter situations could make WEA a more effective tool in that situation. No commenter opposed our analysis that making WEA a better tool for active shooter scenarios could reduce casualties by discretely warning the public, which would yield substantial public safety benefits. According to the Federal Bureau of Investigation, there were 61 active shooter incidents in 2021, resulting in 243 casualties, including 103 deaths and 140 injuries. These incidents continue. In 2023, the Federal Bureau of Investigation designated an additional 48 shootings as active shooter incidents with 244 casualties, including 105 killed and 139 injuries. Accordingly, we continue to find it reasonable that suppressing the audio attention signal and vibration cadence during active shooters scenarios could generate significant public safety benefits. This is even before considering that selective suppression could benefit the public by reducing consumer opt out, that defining a ''mobile device'' for the purpose of WEA could benefit the public by increasing the availability of WEA on tablets and wearables, and that defining a ''WEA capable mobile device'' will enhance the value of marketing disclosures.

21. We find that the value of those benefits would have to exceed $37.7 million to exceed their anticipated cost. We find that premise is satisfied and that the cost estimates are valid. In the Further Notice of Proposed Rulemaking,

the Commission reasoned that these costs comprise approximately $814,000 to update applicable WEA standards and approximately $39.1 million to update applicable software. We continue to rely on this methodology for assessing the cost of compliance with this requirement, to which no commenter objected. On our own initiative, however, we update this analysis to account for changes in the wage rate of workers likely to be engaged in the process of compliance and to update our account of the number of CMS Providers that participate in WEA. We now estimate that the cost is slightly less than proposed: $889,000 to update applicable standards and $36.8 million to update applicable software for a total of $37.7 million.

22. Since WEA's inception, the Commission has never recognized a cost to Participating CMS Providers or equipment manufacturers associated with the marketing of mobile devices or their WEA capabilities. No commenter in this proceeding suggests that they will incur any costs to comply with this requirement, so we do not diverge from that analysis here. We continue to decline to assign a dollar value to that activity for the purpose of this cost benefit analysis because marketing is purely voluntary commercial activity unnecessary to the provision of commercial mobile service or the sale of mobile devices. CMS Providers that market their mobile devices do so because they anticipate that the economic benefits of doing so will outweigh the costs. Insofar as Participating CMS Providers and equipment manufacturers market their mobile devices based on their WEA-capabilities, the definitions that we adopt today may implicate changes to those marketing materials. No Participating CMS Provider or equipment manufacturer will have to change their existing marketing materials as a result of this requirement, however, because the WEA capabilities that they support on devices that they sell are completely at their discretion, pursuant to the WARN Act. CMS Providers may continue to participate in WEA ''in part'' so long as one mobile device that they sell is a WEA-capable mobile device, as we define it today.

II. Procedural Matters

23. Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that ''the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in this *Seventh Report and Order* on small entities. The FRFA is set forth in Appendix C of the Commission document.

24. Congressional Review Act. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is ''non-major'' under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this *Seventh Report and Order* to Congress and the Government Accountability Office pursuant 5 U.S.C. 801(a)(1)(A).

25. Paperwork Reduction Act. This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

26. People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice).

III. Ordering Clauses

27. *Accordingly it is ordered*, pursuant to the authority contained in Sections 1, 2, 4(i), 4(n), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, and 706 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(n), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, and 606, as well as by sections 602(a), (b), (c), (f), 603, 604 and 606 of the Warning Alert and Response Network (WARN) Act, 47 U.S.C. 1201(a), (b), (c), (f), 1203, 1204 and 1206, that this *Seventh Report* is hereby *adopted*.

28. *It is further ordered* that part 10 of the Commission's rules *is amended* as specified in Appendix A of the Commission document. The definitions of a WEA-capable mobile device and a mobile device for the purpose of WEA (section 10.10(j) through (m)), along with conforming edits (to the introductory text of section 10.500, section 10.500(i) through (j), the introductory text of section 10.520, and the introductory text of section 10.530), *will become effective* 180 days after the publication of this *Seventh Report and Order* in the **Federal Register**. The silent alert rules adopted herein (sections 10.490 and 10.530(d)) *will become effective* thirty-six (36) months after publication of this *Seventh Report and Order* in the **Federal Register**.

29. *It is further ordered* that the Commission's Office of the Secretary *shall send* a copy of this *Seventh Report and Order,* including the Final Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

30. *It is further ordered* that the Office of the Managing Director, Performance & Program Management, *shall send* a copy of this *Seventh Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 10

Communications, Communications equipment, Electronic products, Individuals with disabilities, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 10 as follows:

PART 10—WIRELESS EMERGENCY ALERTS

■ 1. The authority citation for part 10 is revised to read as follows:

Authority: 47 U.S.C. 151, 152, 154(i), 154(n), 201, 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, 544(g), 606, 1201, 1202, 1203, 1204, and 1206.

■ 2. Effective September 15, 2025, amend § 10.10 by revising paragraph (j), redesignating paragraph (l) as paragraph (m), redesignating paragraph (k) as paragraph (l), and adding a new paragraph (k) to read as follows:

§ 10.10 Definitions.

* * * * *

(j) *Mobile Device.* For the purposes of this part, any customer equipment used to receive commercial mobile service.

(k) *WEA-capable Mobile Device.* A mobile device, as defined in paragraph (j) of this section, that complies with the part 10, subpart E equipment requirements.

(l) *CMS Provider participation ''in whole.''* CMS Providers that have agreed

to transmit WEA Alert Messages in a manner consistent with the technical standards, protocols, procedures, and other technical requirements implemented by the Commission in the entirety of their geographic service area, and when all mobile devices that the CMS Providers offer at the point of sale are WEA-capable.

(m) *CMS Provider participation ''in part.''* CMS Providers that have agreed to transmit WEA Alert Messages in a manner consistent with the technical standards, protocols, procedures, and other technical requirements implemented by the Commission in some, but not in all of their geographic service areas, or CMS Providers that offer mobile devices at the point of sale that are not WEA-capable.

■ 3. Effective March 18, 2028, add § 10.490 to read as follows:

§ 10.490 Silent Alerts.

A Participating CMS Provider must support an alert originator's selection of whether an Alert Message will be presented without either the common audio attention signal (§ 10.520), the common vibration cadence (§ 10.530), or both.

■ 4. Effective September 15, 2025, amend § 10.500 by revising the introductory text, adding and reserving paragraph (i), and adding paragraph (j) to read as follows:

§ 10.500 General requirements.

A mobile device marketed for public use under part 10 as a ''WEA-capable mobile device'' is required to perform the following functions:

* * * * *

(i) [Reserved]

(j) Support the Alert Message Requirements in subpart D of this part.

■ 5. Amend § 10.520 by revising the introductory text to read as follows:

§ 10.520 Common audio attention signal.

A Participating CMS Provider and equipment manufacturers may only market a mobile device for public use under part 10 as a ''WEA-capable mobile device'' if the mobile device includes an audio attention signal that meets the requirements of this section.

* * * * *

■ 6. Effective September 15, 2025, amend § 10.530 by revising the introductory text to read as follows:

§ 10.530 Common vibration cadence.

A Participating CMS Provider and equipment manufacturers may only market a mobile device for public use under part 10 as a ''WEA-capable mobile device'' if the mobile device includes a vibration cadence capability that meets the requirements of this section.

* * * * *

■ 7. Effective March 18, 2028, further amend § 10.530 by adding paragraph (d) to read as follows:

§ 10.530 Common vibration cadence.

* * * * *

(d) A device must include the option to enable the presentation of the common vibration cadence for all Alert Messages. If selected, that option overrides the alert originator's selection to present an Alert Message without the common vibration cadence.

[FR Doc. 2025–04126 Filed 3–17–25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0037]

RTID 0648–XE336

Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2025 and 2026 Harvest Specifications for Groundfish

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

ACTION: Final rule; harvest specifications and closures.

SUMMARY: NMFS announces final 2025 and 2026 harvest specifications, apportionments, and Pacific halibut prohibited species catch limits for the groundfish fishery of the Gulf of Alaska (GOA). This action is necessary to establish harvest limits for groundfish during the remainder of the 2025 and the start of the 2026 fishing years and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The intended effect of this action is to conserve and manage the groundfish resources in the GOA in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Harvest specifications and closures are effective from 1200 hours, Alaska local time (A.l.t.), March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

ADDRESSES: Electronic copies of the Final Alaska Groundfish Harvest Specifications Environmental Impact Statement (Final EIS), Record of Decision (ROD), and the annual Supplementary Information Reports (SIRs) to the EIS prepared for this action are available at: *https://www.regulations.gov.* The 2024 Stock Assessment and Fishery Evaluation (SAFE) report for the groundfish resources of the GOA, dated November 2024, and SAFE reports for previous years are available from the North Pacific Fishery Management Council (Council) at 1007 West Third Avenue, Suite 400, Anchorage, AK 99501, phone 907–271–2809, or from the NMFS website at: *https://www.fisheries.noaa.gov/alaska/population-assessments/north-pacific-groundfish-stock-assessments-and-fishery-evaluation.*

FOR FURTHER INFORMATION CONTACT: Abby Jahn, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the GOA groundfish fisheries in the exclusive economic zone of the GOA under the FMP. The North Pacific Fishery Management Council (Council) prepared and recommended the FMP under the authority of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). Regulations governing U.S. fisheries and implementing the FMP appear at 50 CFR parts 600, 679, and 680.

The FMP and its implementing regulations require that NMFS, after consultation with the Council, specify the total allowable catch (TAC) for each target species, the sum of which must be within the optimum yield (OY) range of 116,000 to 800,000 metric tons (mt) (§§ 679.20(a)(1)(i)(B) and 679.20(a)(2)). Section 679.20(c)(1) further requires that NMFS publish and solicit public comment on proposed annual TACs and apportionments thereof, Pacific halibut prohibited species catch (PSC) limits, and seasonal allowances of pollock and Pacific cod. Upon consideration of those public comments, NMFS must publish a notification of final harvest specifications for up to 2 fishing years as annual TACs and apportionments, Pacific halibut PSC limits, and seasonal allowances of pollock and Pacific cod, per § 679.20(c)(3)(ii). The final harvest specifications set forth in tables 1 through 27 of this rule reflect the outcome of this process, as required at § 679.20(c).

The proposed 2025 and 2026 harvest specifications for groundfish of the GOA and Pacific halibut PSC limits were published in the **Federal Register** on November 29, 2024 (89 FR 94680). Comments were invited and accepted through December 30, 2024. NMFS received one letter raising one distinct

comment during the public comment period for the proposed GOA groundfish harvest specifications. No changes were made in this rule in response to the comment. NMFS's response to the comment is included in the *Comments and Responses* section of this rule.

In December 2024, NMFS consulted with the Council regarding the 2025 and 2026 harvest specifications. After considering public comment at public meetings and comments received for the proposed rule, as well as current biological, ecosystem, socioeconomic, and harvest data, NMFS is implementing the final 2025 and 2026 harvest specifications, as recommended by the Council but with reductions to account for a new directed octopus fishery established by the State of Alaska (''State'') in December 2024. This results in a 16 mt reduction from the Council recommended TACs. For 2025, the sum of the TAC amounts is 514,619 mt. For 2026, the sum of the TAC amounts is 464,741 mt.

Other Actions Affecting the 2025 and 2026 Harvest Specifications

In December 2024, the Alaska Board of Fisheries considered several proposals for management of fishing in State waters that could have affected the GOA groundfish harvest specifications. The BOF ultimately adopted one proposal, Proposal 43, for implementation starting in the 2025 fishing year. Proposal 43 establishes a directed octopus fishery in State waters in Prince William Sound (PWS). NMFS is setting the TAC to account for this State fishery by subtracting the maximum guideline harvest range (GHR) of 16 mt (35,000 pounds (lbs) rounded) from the acceptable biological catch (ABC) recommended by the SSC. This is to ensure that the sum of octopus removals from Federal and State waters do not exceed the GOA-wide ABC recommendation.

ABC and TAC Specifications

In December 2024, the Council's Scientific and Statistical Committee (SSC), its Advisory Panel (AP), and the Council reviewed the most recent biological, ecosystem, socioeconomic, and harvest information about the condition of the GOA groundfish stocks. The Council's GOA Groundfish Plan Team (Plan Team) compiled and presented this information in the 2024 SAFE report for the GOA groundfish fisheries, dated November 2024 (see **ADDRESSES**). The SAFE report contains a review of the latest scientific analyses and estimates of each species' biomass and past, present, and possible future condition of the stocks and groundfish fisheries off Alaska. The SAFE report also contains an economic summary informed by the Economic SAFE and ecosystem information summarized from the Ecosystem Status Report (ESR).

The ESRs compile and summarize information about the status of the Alaska marine ecosystems for the Plan Team, SSC, AP, Council, NMFS, and the public, and they are updated annually. The ESRs include ecosystem report cards, ecosystem assessments, and ecosystem status indicators (*e.g.,* climate indices, sea surface temperature), which together provide context for ecosystem-based fisheries management in Alaska. The ESRs inform stock assessments and are integrated into the annual harvest recommendations through inclusion in stock assessments, including stock-specific risk tables. The ESRs provide context for the SSC's recommendations for overfishing limits (OFLs) and ABCs, as well as for the Council's TAC recommendations. The SAFE reports and the ESRs are presented to the Plan Team and at the October and December Council meetings before the SSC, AP, and Council make groundfish harvest recommendations and aid NMFS in implementing these annual groundfish harvest specifications. An ESR is prepared for the GOA ecosystem, the eastern Bering Sea ecosystem, and Aleutian Islands ecosystem.

The SAFE report also includes information on the economic condition of the groundfish fisheries off Alaska through the Economic Status Report. The SAFE report provides information to the Council and NMFS for recommending and setting, respectively, annual harvest levels for each stock, and for documenting significant trends or changes in the resource, marine ecosystems, and fisheries over time. From these data and analyses, the Plan Team recommends, and the SSC sets, an OFL and ABC for each species and species group. The 2024 SAFE report was made available for public review during the public comment period for the proposed harvest specifications.

In previous years, the greatest changes from the proposed to the final harvest specifications were based on recent NMFS stock surveys, which provide updated estimates of stock biomass and spatial distribution, and changes to the models used for producing stock assessments. At the November 2024 Plan Team meeting, NMFS scientists presented updated and new survey results, changes to stock assessment models, and accompanying stock assessment estimates for groundfish species and species groups that are included in the 2024 SAFE report per the stock assessment schedule found in the 2024 SAFE report introduction. The SSC reviewed this information at the December 2024 Council meeting. Changes from the proposed to the final 2025 and 2026 harvest specifications are discussed below.

The final 2025 and 2026 OFLs and ABCs are based on the 2024 SAFE report. The AP and the Council also review the data and analyses, including the 2024 SAFE report, as well as the Plan Team and SSC recommendations for OFLs and ABCs to develop their TAC recommendations. The FMP specifies the formulas, or tiers, for computing OFLs and ABCs. The formulas applicable to a particular stock or stock complex are determined by the level of reliable information available to fisheries scientists. This information is categorized into a successive series of six tiers to define OFL and ABC amounts, with Tier 1 representing the highest level of information quality available and Tier 6 representing the lowest level of information quality available. The Plan Team used the FMP tier structure to calculate OFL and ABC amounts for each groundfish species. The SSC adopted the final 2025 and 2026 OFLs and ABCs recommended by the Plan Team, with the exception of the ABC for sablefish. The SSC recommended a 5 percent reduction from max ABC for 2025 and 2026. After reviewing current stock status and ecosystem factors, the SSC determined a more conservative buffer between OFL and ABC for sablefish was warranted than the Plan Team's recommendation.

The Council adopted the SSC's OFLs and ABCs and the AP's TAC recommendations. The final TAC recommendations are based on the ABCs and are adjusted for other biological and socioeconomic considerations, including maintaining the sum of all TACs within the required OY range of 116,000 to 800,000 mt. The Council recommended 2025 and 2026 TACs that are equal to sub-area apportionments of ABCs for all stocks and stock complexes except for the following species: (1) pollock in the combined Western/Central/West Yakutat (W/C/WYK) area; (2) Pacific cod; (3) Western GOA shallow-water flatfish; (4) Western GOA arrowtooth flounder; (5) Western GOA flathead sole; (6) SEO district other rockfish; and (7) Atka mackerel. For sub-area apportionments of ABCs and TACs, refer to tables 1 and 2.

The final 2025 and 2026 harvest specifications approved by the Secretary of Commerce are unchanged from those recommended by the SSC and Council and are consistent with the preferred harvest strategy outlined in the FMP, as

well as the Final EIS and ROD, because they were set through the harvest specifications process. None of the TACs exceed the recommended ABCs, and the sum of all TACs is within the OY range (see **ADDRESSES**). NMFS has reviewed the recommendations of the SSC and Council for OFLs, ABCs, and TACs for target species and species groups in the GOA as well as any other relevant information. Based on that review, NMFS is specifying the OFLs, ABCs, and TACs set forth in tables 1 through 27 of this final rule as consistent with the Magnuson-Stevens Act, the FMP, and other applicable law.

NMFS finds that the Council's recommended OFLs, ABCs, and TACs are consistent with the biological condition of the groundfish stocks as described in the final 2024 SAFE report, while also accounting for ecosystem and socioeconomic information presented in the 2024 SAFE report (which includes the GOA ESR). NMFS also finds that the Council's recommendations for TACs are consistent with the biological condition of groundfish stocks as adjusted for other biological and socioeconomic considerations, including maintaining the sum of all TACs within the OY range. The TACs are set equal to sub-area apportionments of ABCs for all stocks and stock complexes except for pollock in the combined W/C/WYK area, Pacific cod, Western GOA shallow-water flatfish, Western GOA arrowtooth flounder, Western GOA flathead sole, SEO District other rockfish, Atka mackerel, and octopus. The combined W/C/WYK pollock TAC and the GOA Pacific cod TACs are set to account for the State's guideline harvest levels (GHLs) so that the ABCs for pollock and Pacific cod are not exceeded. NMFS set the octopus TAC to account for the State's GHR so that the ABC for octopus is not exceeded. The Western GOA shallow-water flatfish, Western GOA arrowtooth flounder, and Western GOA flathead sole TACs are set to allow for increased harvest opportunities for these target species while conserving the halibut PSC limit for use in other, more fully utilized fisheries. The other rockfish TAC in the SEO District is set to reduce the amount of discards of the species in that complex. The Atka mackerel TAC is set to accommodate incidental catch amounts (ICA) in other fisheries. NMFS reviewed the Council's recommended TACs and apportionments, and NMFS approves these harvest specifications under § 679.20(c)(3)(ii). The apportionment of TAC amounts among gear types and sectors, processing sectors, and seasons is discussed below.

Tables 1 and 2 list the final 2025 and 2026 OFLs, ABCs, TACs, and area apportionments of groundfish in the GOA. The 2025 harvest specifications set in this final action supersede the 2025 harvest specifications previously set in the final 2024 and 2025 harvest specifications (89 FR 15484, March 4, 2024). Pursuant to this final action, the 2025 harvest specifications are effective from 1,200 hours, A.l.t., March 18, 2025, through 2,400 hours, A.l.t., December 31, 2025, and the 2026 harvest specifications are effective from 0001 hours, A.l.t., January 1, 2026, through 1,200 hours, A.l.t., March 17, 2026.

Specification and Apportionment of TAC Amounts

NMFS's apportionment of groundfish species is based on the distribution of biomass among the regulatory areas over which NMFS manages the species. Additional regulations that govern the apportionment of pollock, Pacific cod, and sablefish are described below.

The TAC for the pollock stock in the combined W/C/WYK areas is set to account for the GHL established by the State for the Prince William Sound (PWS) pollock fishery. The Plan Team, SSC, AP, and Council have recommended that the sum of all State waters and Federal waters pollock removals from the GOA not exceed ABC recommendations. State fisheries managers set the PWS pollock GHL at 2.5 percent of the annual W/C/WYK pollock ABC. For 2025, this yields a PWS pollock GHL of 4,526 mt. For 2026, the PWS pollock GHL is 3,326 mt. After the GHL reductions, the 2025 and 2026 pollock ABCs for the combined W/C/WYK areas are then apportioned between four statistical areas (*i.e.,* Areas 610, 620, 630, and 640), as described below and detailed in tables 1 and 2. The ABCs and TACs for the four statistical areas, plus the State PWS GHL, do not exceed the combined W/C/WYK ABC.

Apportionments of pollock to the W/C/WYK areas are considered to be apportionments of the TAC. This more accurately reflects that such apportionments address management, rather than biological or conservation, concerns. In addition, apportionments of the TAC in this manner allow NMFS to balance any transfer of TAC among Areas 610, 620, and 630 pursuant to § 679.20(a)(5)(iv)(B) to ensure that the combined W/C/WYK ABC, ACL, and TAC are not exceeded.

NMFS establishes pollock TACs in the Western (Area 610) and Central (Areas 620 and 630) Regulatory Areas and the West Yakutat (Area 640) and the SEO (Area 650) Districts of the GOA (see tables 1 and 2). NMFS also establishes seasonal apportionments of the annual pollock TACs in the Western and Central Regulatory Areas of the GOA among Statistical Areas 610, 620, and 630. Additional detail on area apportionments and seasonal allowances is provided in the *Apportionments of Pollock TAC Among Seasons and Regulatory Areas, and Allocations for Processing by Inshore and Offshore Components* section of this rule. Tables 3 and 4 list these amounts.

The 2025 and 2026 Pacific cod TACs are set to account for the State's GHLs for Pacific cod in State waters in the Western and Central Regulatory Areas, as well as in PWS (in the Eastern Regulatory Area). The Plan Team, SSC, AP, and Council recommended that the sum of all State waters and Federal waters Pacific cod removals from the GOA not exceed ABC recommendations. The Council recommended setting the 2025 and 2026 Pacific cod TACs in the Western, Central, and Eastern Regulatory Areas to account for State GHLs. After taking into account the GHL fisheries, the 2025 Pacific cod TACs are less than the ABCs by the following amounts: (1) Western GOA, 2,613 mt; (2) Central GOA, 5,127 mt; and (3) Eastern GOA, 731 mt. The 2026 Pacific cod TACs are less than the ABCs by the following amounts: (1) Western GOA, 2,455 mt; (2) Central GOA, 4,816 mt; and (3) Eastern GOA, 687 mt. These amounts reflect the State's 2025 and 2026 GHLs in these areas, which are 30 percent of the Western GOA ABC and 25 percent of the Eastern and Central GOA ABCs.

The Western and Central GOA Pacific cod TACs are allocated among various gear and operational sectors. NMFS also establishes seasonal apportionments of the annual Pacific cod TACs in the Western and Central Regulatory Areas. The Pacific cod sector and seasonal apportionments are discussed in detail in the *Annual and Seasonal Apportionments of Pacific Cod TAC* section and in tables 5 and 6 of this rule.

The Council's recommendation for sablefish area apportionments takes into account the prohibition on the use of trawl gear in the SEO District of the Eastern Regulatory Area (§ 679.7(b)(1)) and makes available 5 percent of the combined Eastern Regulatory Area TACs to vessels using trawl gear for use as incidental catch in other trawl groundfish fisheries in the WYK District (§ 679.20(a)(4)(i)). Tables 7 and 8 list the final 2025 and 2026 allocations of sablefish TAC to fixed gear and trawl gear in the GOA.

Changes From the Proposed 2025 and 2026 Harvest Specifications in the GOA

In October 2024, the Council's recommendations for the proposed 2025 and 2026 harvest specifications (89 FR 94680, November 29, 2024) were based largely on information contained in the final 2023 SAFE report for the GOA groundfish fisheries, dated November 2023. The final 2023 SAFE report for the GOA is available from the Council (see **ADDRESSES**). The Council proposed that the final OFLs, ABCs, and TACs established for the 2025 groundfish fisheries (89 FR 15484, March 4, 2024) be used for the proposed 2025 and 2026 harvest specifications pending completion and review of the 2024 SAFE report at the Council's December 2024 meeting.

The final 2025 TACs are higher than the proposed 2025 TACs published in the proposed 2025 and 2026 harvest specifications for pollock, Pacific cod, sablefish, deep-water flatfish, rex sole, arrowtooth flounder, flathead sole, Pacific ocean perch, northern rockfish, rougheye and blackspotted rockfish, and demersal shelf rockfish. The final 2025 TACs are lower than the proposed 2025 TACs for shallow-water flatfish, dusky rockfish, thornyhead rockfish, other rockfish, and octopus. The final 2026 TACs are higher than the proposed 2026 GOA TACs for Pacific cod, shallow-water flatfish, arrowtooth flounder, flathead sole, northern rockfish, rougheye and blackspotted rockfish, and demersal shelf rockfish. The final 2026 TACs are lower than the proposed 2026 TACs for pollock, sablefish, deep-water flatfish, rex sole, Pacific ocean perch, dusky rockfish, thornyhead rockfish, other rockfish, and octopus. For the remaining target species the Council recommended the final 2025 and 2026 TACs that are the same as the proposed 2025 and 2026 TACs.

Additional information explaining the changes between the proposed and final ABCs is included in the final 2024 SAFE report, which was not completed and available when the Council made its proposed ABC and TAC recommendations in October 2024. At that time, the most recent stock assessment information was contained in the final 2023 SAFE report. For the final specifications, the final 2024 SAFE report contains the best and most recent scientific information on the condition of the groundfish stocks, harvest information, and ecosystem and socioeconomic information, as previously discussed in this preamble, and is available for review (see **ADDRESSES**). The Council considered the 2024 SAFE report in December 2024 when it made recommendations to NMFS for the final 2025 and 2026 harvest specifications. In the GOA, the total final 2025 TAC amount is 514,619 mt, an increase of 6.77 percent from the total proposed 2025 TAC amount of 482,000 mt. The total final 2026 TAC amount is 464,741 mt, a decrease of 3.58 percent from the total proposed 2026 TAC amount of 482,000 mt. Table A summarizes the difference between the proposed and final TACs.

Annual stock assessments incorporate a variety of new or revised inputs, such as survey data or catch information, as well as changes to the statistical models used to estimate a species' biomass and population trend. Changes to biomass and ABC estimates are primarily based on fishery catch updates to species' assessment models.

The changes for individual species or species groups from the proposed 2025 TACs to the final 2025 TACs are within a range of plus 135 percent and minus 18 percent, and the changes from the proposed 2026 TACs to the final 2026 TACs are within the same range. Differences in TACs are based on changes in the estimates of overall biomass in the stock assessment for 2025 and 2026, as compared to the estimates previously made for 2024 and 2025. For 2025, the species or species group with TAC increases greater than 10 percent are pollock, Pacific cod, rougheye and blackspotted rockfish, and demersal shelf rockfish. For 2026, the species or species group with TAC increases greater than ten percent are rougheye and blackspotted rockfish and demersal shelf rockfish. Based on changes in the estimates of biomass, the species group with TAC percentage decreases greater than 10 percent are pollock (2026), dusky rockfish (2025 and 2026), thornyhead rockfish (2025 and 2026), and other rockfish (2025 and 2026). For all other species and species groups, changes from the proposed 2025 and 2026 TACs to the final 2025 and 2026 TACs are less than a 10 percent net change. These TAC changes correspond to associated changes in the OFLs and ABCs as recommended by the SSC.

Detailed information providing the basis for the changes described above is contained in the final 2024 SAFE report. The final TACs are consistent with the biological condition of groundfish stocks as described in the 2024 SAFE report. The final ABCs reflect harvest amounts that are less than the specified OFLs. The final TACs are adjusted for other biological and socioeconomic considerations and do not exceed ABCs. These TACs are specified in compliance with the harvest strategy from the FMP and Final EIS and as described in the proposed and final rules for the 2025 and 2026 harvest specifications.

TABLE A—COMPARISON OF PROPOSED AND FINAL 2025 AND 2026 GOA TOTAL ALLOWABLE CATCH LIMITS

[Values are rounded to the nearest metric ton and percentage]

Species	2025 and 2026 proposed TAC	2025 Final TAC	2025 Final minus 2025 proposed TAC	Percentage difference	2026 Final TAC	2026 Final minus 2026 proposed TAC	Percentage difference
Pollock	163,494	186,245	22,751	14	139,498	−23,996	−15
Pacific cod	20,757	23,670	2,913	14	22,235	1,478	7
Sablefish	22,695	22,836	141	1	22,550	−145	−1
Shallow-water flatfish	46,091	46,054	−37	0	46,258	167	0
Deep-water flatfish	6,953	6,958	5	0	6,832	−121	−2
Rex sole	21,303	21,387	84	0	21,173	−130	−1
Arrowtooth flounder	93,936	100,454	6,518	7	100,769	6,833	7
Flathead sole	36,387	36,534	147	0	36,873	486	1
Pacific ocean perch	38,354	38,962	608	2	37,509	−845	−2
Northern rockfish	4,646	5,076	430	9	4,895	249	5
Shortraker rockfish	647	647	0	0	647	0	0
Dusky rockfish	7,225	6,338	−887	−12	6,021	−1,204	−17
Rougheye/blackspotted rockfish	1,041	1,180	139	13	1,203	162	16
Demersal shelf rockfish	283	665	382	135	665	382	135
Thornyhead rockfish	1,628	1,338	−290	−18	1,338	−290	−18
Other rockfish	1,653	1,384	−269	−16	1,384	−269	−16
Atka mackerel	3,000	3,000	0	0	3,000	0	0
Big skate	2,835	2,835	0	0	2,835	0	0

TABLE A—COMPARISON OF PROPOSED AND FINAL 2025 AND 2026 GOA TOTAL ALLOWABLE CATCH LIMITS—Continued

[Values are rounded to the nearest metric ton and percentage]

Species	2025 and 2026 proposed TAC	2025 Final TAC	2025 Final minus 2025 proposed TAC	Percentage difference	2026 Final TAC	2026 Final minus 2026 proposed TAC	Percentage difference
Longnose skate	2,536	2,536	0	0	2,536	0	0
Other skates	665	665	0	0	665	0	0
Sharks	4,891	4,891	0	0	4,891	0	0
Octopuses	980	964	−16	−2	964	−16	−2
Total	482,000	514,619	32,619	6.8	464,741	−17,259	−3.58

The final 2025 and 2026 TAC amounts for the GOA are within the OY range established for the GOA and do not exceed the ABC for any species or species group. The ABC does not exceed the OFL for any species or species group. Tables 1 and 2 list the final OFL, ABC, and TAC amounts for GOA groundfish for 2025 and 2026, respectively.

TABLE 1—FINAL 2025 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Pollock [2]	Shumagin (610)	n/a	37,344	37,344
	Chirikof (620)	n/a	82,265	82,265
	Kodiak (630)	n/a	51,605	51,605
	WYK (640)	n/a	5,282	5,282
	W/C/WYK (subtotal) [2]	210,111	181,022	176,496
	SEO (650)	12,998	9,749	9,749
	Total	223,109	190,771	186,245
Pacific cod [3]	W	n/a	8,710	6,097
	C	n/a	20,506	15,379
	E	n/a	2,925	2,194
	Total	38,688	32,141	23,670
Sablefish [4]	W	n/a	4,746	4,746
	C	n/a	9,744	9,744
	WYK	n/a	2,686	2,686
	SEO	n/a	5,660	5,660
	Subtotal TAC	n/a	n/a	22,836
	Total	58,532	47,605	n/a
Shallow-water flatfish [5]	W	n/a	23,755	13,250
	C	n/a	28,279	28,279
	WYK	n/a	2,828	2,828
	SEO	n/a	1,697	1,697
	Total	69,277	56,559	46,054
Deep-water flatfish [6]	W	n/a	234	234
	C	n/a	2,616	2,616
	WYK	n/a	1,828	1,828
	SEO	n/a	2,280	2,280
	Total	8,263	6,958	6,958
Rex sole	W	n/a	3,382	3,382
	C	n/a	13,698	13,698
	WYK	n/a	1,436	1,436
	SEO	n/a	2,871	2,871
	Total	26,002	21,387	21,387
Arrowtooth flounder	W	n/a	33,593	14,500
	C	n/a	68,261	68,261
	WYK	n/a	6,695	6,695

TABLE 1—FINAL 2025 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
	SEO	n/a	10,998	10,998
	Total	142,832	119,547	100,454
Flathead sole	W	n/a	13,592	8,650
	C	n/a	21,817	21,817
	WYK	n/a	3,970	3,970
	SEO	n/a	2,097	2,097
	Total	50,587	41,476	36,534
Pacific ocean perch [7]	W	n/a	1,753	1,753
	C	n/a	28,209	28,209
	WYK	n/a	2,070	2,070
	SEO	n/a	6,930	6,930
	Total	46,562	38,962	38,962
Northern rockfish [8]	W	n/a	1,396	1,396
	C	n/a	3,680	3,680
	E	n/a	.....	.....
	Total	6,064	5,076	5,076
Shortraker rockfish [9]	W	n/a	34	34
	C	n/a	189	189
	E	n/a	424	424
	Total	863	647	647
Dusky rockfish [10]	W	n/a	209	209
	C	n/a	5,818	5,818
	WYK	n/a	215	215
	SEO	n/a	96	96
	Total	7,705	6,338	6,338
Rougheye and Blackspotted rockfish [11]	W	n/a	224	224
	C	n/a	359	359
	E	n/a	597	597
	Total	1,576	1,180	1,180
Demersal shelf rockfish [12]	W/C/WYK	361	271	271
	SEO	524	394	394
Thornyhead rockfish [13]	W	n/a	206	206
	C	n/a	590	590
	E	n/a	542	542
	Total	1,784	1,338	1,338
Other rockfish [14]	W/C/WYK	n/a	1,084	1,084
	SEO	n/a	2,421	300
	Total	4,618	3,505	1,384
Atka mackerel	GW	6,200	4,700	3,000
Big skate [15]	W	n/a	745	745
	C	n/a	1,749	1,749
	E	n/a	341	341
	Total	3,780	2,835	2,835
Longnose skate [16]	W	n/a	104	104
	C	n/a	1,894	1,894
	E	n/a	538	538
	Total	3,380	2,536	2,536
Other skates [17]	GW	887	665	665

TABLE 1—FINAL 2025 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Sharks	GW	6,521	4,891	4,891
Octopus	GW	1,307	980	964
Total		709,422	590,762	514,619

[1] Regulatory areas and districts are defined at § 679.2. (W = Western Gulf of Alaska; C = Central Gulf of Alaska; E = Eastern Gulf of Alaska; WYK = West Yakutat District; SEO = Southeast Outside District; GW = Gulf-wide). The 2025 harvest specifications are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[2] The total for the W/C/WYK Regulatory Areas pollock ABC is 181,022 mt. After deducting 2.5 percent (4,526 mt) of that ABC for the State's pollock GHL fishery, the remaining pollock ABC of 176,496 mt (for the W/C/WYK Regulatory Areas) is apportioned among four statistical areas (Areas 610, 620, 630, and 640). The TACs in Areas 610, 620, and 630 are further divided by season, as detailed in table 3 (Final 2025 Distribution of Pollock in the Western and Central Regulatory Areas of the Gulf of Alaska, Area Apportionments, and Seasonal Allowances of Annual TAC). In the West Yakutat (Area 640) and Southeast Outside (Area 650) Districts of the Eastern Regulatory Area, pollock TACs are not divided into seasonal allowances.

[3] The annual Pacific cod TAC is apportioned, after seasonal apportionment to the jig sector, as follows: (1) 63.84 percent to the A season and 36.16 percent to the B season and (2) 64.16 percent to the A season and 35.84 percent to the B season in the Western and Central Regulatory Areas of the GOA, respectively. Pacific cod TAC in the Eastern Regulatory Area of the GOA is allocated 90 percent to vessels harvesting Pacific cod for processing by the inshore component and 10 percent to vessels harvesting Pacific cod for processing by the offshore component. Table 5 lists the final 2025 Pacific cod seasonal apportionments and sector allocations.

[4] The sablefish OFL and ABC are set Alaska-wide (58,532 mt and 47,605 mt, respectively), and the Alaska-wide totals are included in the total OFL and ABC in table 1. Additionally, sablefish TAC is allocated to trawl and fixed gear in 2025 and trawl gear in 2026, and the sablefish TAC allocated to fixed gear in 2026 will be specified in the 2026 and 2027 harvest specifications. Table 7 lists the final 2025 allocations of sablefish TACs.

[5] "Shallow-water flatfish" means flatfish not including "deep-water flatfish," flathead sole, rex sole, or arrowtooth flounder.

[6] "Deep-water flatfish" means Dover sole, Greenland turbot, Kamchatka flounder, and deep sea sole.

[7] "Pacific ocean perch" means *Sebastes alutus.*

[8] "Northern rockfish" means *Sebastes polyspinis.* For management purposes, the 1 mt apportionment of ABC to the WYK District of the Eastern Gulf of Alaska has been included in the other rockfish species group.

[9] "Shortraker rockfish" means *Sebastes borealis.*

[10] "Dusky rockfish" means *Sebastes variabilis.*

[11] "Rougheye and blackspotted rockfish" mean *Sebastes aleutianus* (rougheye) and *S. melanostictus* (blackspotted).

[12] "Demersal shelf rockfish" means *Sebastes pinniger* (canary), *S. nebulosus* (china), *S. caurinus* (copper), *S. maliger* (quillback), *S. helvomaculatus* (rosethorn), *S. nigrocinctus* (tiger), and *S. ruberrimus* (yelloweye).

[13] "Thornyhead rockfish" means *Sebastolobus* species.

[14] "Other rockfish" means *Sebastes aurora* (aurora), *S. melanostomus* (blackgill), *S. paucispinis* (bocaccio), *S. goodei* (chilipepper), *S. crameri* (darkblotch), *S. elongatus* (greenstriped), *S. variegatus* (harlequin), *S. wilsoni* (pygmy), *S. babcocki* (redbanded), *S. proriger* (redstripe), *S. zacentrus* (sharpchin), *S. jordani* (shortbelly), *S. brevispinis* (silvergrey), *S. diploproa* (splitnose), *S. saxicola* (stripetail), *S. miniatus* (vermilion), *S. reedi* (yellowmouth), *S. entomelas* (widow), and *S. flavidus* (yellowtail). In the Eastern GOA only, "other rockfish" also includes northern rockfish, *S. polyspinis.*

[15] "Big skate" means *Beringraja binoculata.*

[16] "Longnose skate" means *Raja rhina.*

[17] "Other skates" mean *Bathyraja.*

TABLE 2—FINAL 2026 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Pollock [2]	Shumagin (610)	n/a	27,453	27,453
	Chirikof (620)	n/a	60,477	60,477
	Kodiak (630)	n/a	37,936	37,936
	WYK (640)	n/a	3,883	3,883
	W/C/WYK (subtotal) [2]	153,971	133,075	129,749
	SEO (650)	12,998	9,749	9,749
	Total	166,969	142,824	139,498
Pacific cod [3]	W	n/a	8,182	5,727
	C	n/a	19,263	14,447
	E	n/a	2,748	2,061
	Total	36,459	30,193	22,235
Sablefish [4]	W	n/a	4,687	4,687
	C	n/a	9,622	9,622
	WYK	n/a	2,652	2,652
	SEO	n/a	5,589	5,589
	Subtotal TAC	n/a	n/a	22,550

TABLE 2—FINAL 2026 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
	Total	57,797	47,008	n/a
Shallow-water flatfish [5]	W	n/a	23,902	13,250
	C	n/a	28,455	28,455
	WYK	n/a	2,846	2,846
	SEO	n/a	1,707	1,707
	Total	69,610	56,910	46,258
Deep-water flatfish [6]	W	n/a	231	231
	C	n/a	2,568	2,568
	WYK	n/a	1,795	1,795
	SEO	n/a	2,238	2,238
	Total	8,114	6,832	6,832
Rex sole	W	n/a	3,353	3,353
	C	n/a	13,582	13,582
	WYK	n/a	1,413	1,413
	SEO	n/a	2,825	2,825
	Total	25,743	21,173	21,173
Arrowtooth flounder	W	n/a	33,716	14,500
	C	n/a	68,511	68,511
	WYK	n/a	6,719	6,719
	SEO	n/a	11,039	11,039
	Total	143,347	119,985	100,769
Flathead sole	W	n/a	13,757	8,650
	C	n/a	22,083	22,083
	WYK	n/a	4,018	4,018
	SEO	n/a	2,122	2,122
	Total	51,176	41,980	36,873
Pacific ocean perch [7]	W	n/a	1,688	1,688
	C	n/a	27,156	27,156
	WYK	n/a	1,993	1,993
	SEO	n/a	6,672	6,672
	Total	44,826	37,509	37,509
Northern rockfish [8]	W	n/a	1,346	1,346
	C	n/a	3,549	3,549
	E	n/a	.....	.....
	Total	5,848	4,895	4,895
Shortraker rockfish [9]	W	n/a	34	34
	C	n/a	189	189
	E	n/a	424	424
	Total	863	647	647
Dusky rockfish [10]	W	n/a	199	199
	C	n/a	5,527	5,527
	WYK	n/a	204	204
	SEO	n/a	91	91
	Total	7,319	6,021	6,021
Rougheye and Blackspotted rockfish [11]	W	n/a	229	229
	C	n/a	366	366
	E	n/a	608	608
	Total	1,631	1,203	1,203
Demersal shelf rockfish [12]	W/C/WYK	361	271	271

TABLE 2—FINAL 2026 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Thornyhead rockfish [13]	SEO	524	394	394
	W	n/a	206	206
	C	n/a	590	590
	E	n/a	542	542
	Total	1,784	1,338	1,338
Other rockfish [14]	W/C/WYK	n/a	1,084	1,084
	SEO	n/a	2,421	300
	Total	4,618	3,505	1,384
Atka mackerel	GW	6,200	4,700	3,000
Big skate [15]	W	n/a	745	745
	C	n/a	1,749	1,749
	E	n/a	341	341
	Total	3,780	2,835	2,835
Longnose skate [16]	W	n/a	104	104
	C	n/a	1,894	1,894
	E	n/a	538	538
	Total	3,380	2,536	2,536
Other skates [17]	GW	887	665	665
Sharks	GW	6,521	4,891	4,891
Octopus	GW	1,307	980	964
Total		649,064	539,295	464,741

[1] Regulatory areas and districts are defined at § 679.2. (W = Western Gulf of Alaska; C = Central Gulf of Alaska; E = Eastern Gulf of Alaska; WYK = West Yakutat District; SEO = Southeast Outside District; GW = Gulf-wide). The 2026 harvest specifications are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[2] The total for the W/C/WYK Regulatory Areas pollock ABC is 133,075 mt. After deducting 2.5 percent (3,326 mt) of that ABC for the State's pollock GHL fishery, the remaining pollock ABC of 129,749 mt (for the W/C/WYK Regulatory Areas) is apportioned among four statistical areas (Areas 610, 620, 630, and 640). The TACs in Areas 610, 620, and 630 are further divided by season, as detailed in table 4 (Final 2026 Distribution of Pollock in the Western and Central Regulatory Areas of the Gulf of Alaska, Area Apportionments, and Seasonal Allowances of Annual TAC). In the West Yakutat (Area 640) and Southeast Outside (Area 650) Districts of the Eastern Regulatory Area, pollock TACs are not divided into seasonal allowances.

[3] The annual Pacific cod TAC is apportioned, after seasonal apportionment to the jig sector, as follows: (1) 63.84 percent to the A season and 36.16 percent to the B season and (2) 64.16 percent to the A season and 35.84 percent to the B season in the Western and Central Regulatory Areas of the GOA, respectively. Pacific cod TAC in the Eastern Regulatory Area of the GOA is allocated 90 percent to vessels harvesting Pacific cod for processing by the inshore component and 10 percent to vessels harvesting Pacific cod for processing by the offshore component. Table 6 lists the final 2026 Pacific cod seasonal apportionments and sector allocations.

[4] The sablefish OFL and ABC are set Alaska-wide (57,797 mt and 47,008 mt, respectively), and the Alaska-wide totals are included in the total OFL and ABC in table 2. Additionally, sablefish TAC is allocated only to trawl gear for 2026, and the sablefish TAC allocated to fixed gear in 2026 will be specified in the 2026 and 2027 harvest specifications. Table 8 lists the final 2026 allocation of sablefish TACs to trawl gear.

[5] "Shallow-water flatfish" means flatfish not including "deep-water flatfish," flathead sole, rex sole, or arrowtooth flounder.

[6] "Deep-water flatfish" means Dover sole, Greenland turbot, Kamchatka flounder, and deep sea sole.

[7] "Pacific ocean perch" means *Sebastes alutus.*

[8] "Northern rockfish" means *Sebastes polyspinis.* For management purposes, the 1 mt apportionment of ABC to the WYK District of the Eastern Gulf of Alaska has been included in the other rockfish species group.

[9] "Shortraker rockfish" means *Sebastes borealis.*

[10] "Dusky rockfish" means *Sebastes variabilis.*

[11] "Rougheye and blackspotted rockfish" mean *Sebastes aleutianus* (rougheye) and *S. melanostictus* (blackspotted).

[12] "Demersal shelf rockfish" means *Sebastes pinniger* (canary), *S. nebulosus* (china), *S. caurinus* (copper), *S. maliger* (quillback), *S. helvomaculatus* (rosethorn), *S. nigrocinctus* (tiger), and *S. ruberrimus* (yelloweye).

[13] "Thornyhead rockfish" means *Sebastolobus* species.

[14] "Other rockfish" means *Sebastes aurora* (aurora), *S. melanostomus* (blackgill), *S. paucispinis* (bocaccio), *S. goodei* (chilipepper), *S. crameri* (darkblotch), *S. elongatus* (greenstriped), *S. variegatus* (harlequin), *S. wilsoni* (pygmy), *S. babcocki* (redbanded), *S. proriger* (redstripe), *S. zacentrus* (sharpchin), *S. jordani* (shortbelly), *S. brevispinis* (silvergrey), *S. diploproa* (splitnose), *S. saxicola* (stripetail), *S. miniatus* (vermilion), *S. reedi* (yellowmouth), *S. entomelas* (widow), and *S. flavidus* (yellowtail). In the Eastern GOA only, "other rockfish" also includes northern rockfish, *S. polyspinis.*

[15] "Big skate" means *Beringraja binoculata.*

[16] "Longnose skate" means *Raja rhina.*

[17] "Other skates" mean *Bathyraja.*

Apportionment of Reserves

Section 679.20(b)(2) requires NMFS to set aside 20 percent of each TAC for pollock, Pacific cod, flatfish, sharks, and octopuses in reserve for possible apportionment at a later date during the fishing year. For 2025 and 2026, NMFS proposed reapportionment of all the reserves in the proposed 2025 and 2026 harvest specifications published in the **Federal Register** on November 29, 2024 (89 FR 94680). NMFS did not receive any public comments on the proposed reapportionments. For the final 2025 and 2026 harvest specifications, NMFS reapportions, as proposed, all the reserves for pollock, Pacific cod, flatfish, sharks, and octopuses back to the original TAC limit from which the reserve was derived (§ 679.20(b)(3)). This is because NMFS expects, based on recent harvest patterns, that such reserves are not necessary or that the entire TAC for each of these species will be caught. The TACs listed in tables 1 and 2 reflect reapportionments of reserve amounts to the original TAC limit for these species and species groups (*i.e.,* each final TAC for the above-mentioned species or species groups contains the full TAC recommended by the Council).

Apportionments of Pollock TAC Among Seasons and Regulatory Areas, and Allocations for Processing by Inshore and Offshore Components

In the GOA, pollock is apportioned by season and area and is further allocated for processing by inshore and offshore components. Pursuant to § 679.20(a)(5)(iv)(B), the annual pollock TAC specified for the Western and Central Regulatory Areas of the GOA is apportioned into two seasonal allowances of 50 percent. As established by § 679.23(d)(2), the A and B season allowances are available from January 20 through May 31 and September 1 through November 1, respectively.

Pollock TACs in the Western and Central Regulatory Areas of the GOA are apportioned among Statistical Areas 610, 620, and 630 in proportion to the distribution of pollock biomass determined by the most recent NMFS surveys, pursuant to § 679.20(a)(5)(iv)(A). The pollock chapter of the 2024 SAFE report (see **ADDRESSES**) contains a comprehensive description of the apportionment and reasons for the minor changes from past apportionments. Pollock is specified between two seasons for the Western and Central Regulatory Areas of the GOA (*i.e.,* the A and B seasons). There are four seasonal apportionments, A, B, C, and D seasons, as outlined in the 2024 GOA pollock assessment in the 2024 SAFE report. The GOA pollock stock assessment continues to use a four-season methodology to determine pollock distribution in the Western and Central Regulatory Areas of the GOA to maintain continuity in the historical pollock apportionment time-series. A and B seasons from the assessment are aggregated into the A season for the purposes of specifications and C and D seasons from the assessment are aggregated into the B season for the purposes of specifications. This method is described and calculated in the 2024 GOA pollock assessment.

Within any fishing year, the amount by which a pollock seasonal allowance is under harvested or overharvested may be added to, or subtracted from, the subsequent seasonal allowance for the Western and Central Regulatory Areas in a manner to be determined by the Regional Administrator (§ 679.20(a)(5)(iv)(B)). The rollover amount is limited to 20 percent of the subsequent seasonal TAC apportionment for the statistical area. Any unharvested pollock above the 20-percent limit could be further distributed to the other statistical areas, in proportion to the estimated biomass in the subsequent season in those statistical areas and in an amount that is no more than 20 percent of the seasonal TAC apportionment in those statistical areas (§ 679.20(a)(5)(iv)(B)). The pollock TACs in the WYK and the SEO Districts for 2025 are 5,282 mt and 9,749 mt, respectively. The pollock TACs in the WYK and SEO Districts for 2026 are 3,883 mt and 9,749 mt, respectively. The pollock TACs in the WYK and SEO Districts are not allocated seasonally.

Tables 3 and 4 list the final 2025 and 2026 area apportionments and seasonal allowances of pollock in the Western and Central Regulatory Areas. The amounts of pollock for processing by the inshore and offshore components are not shown. Section 679.20(a)(6)(i) requires the allocation of 100 percent of the pollock TAC in all GOA regulatory areas and all seasonal allowances to vessels catching pollock for processing by the inshore component after subtraction of pollock amounts projected by the Regional Administrator to be caught by, or delivered to, the offshore component incidental to directed fishing for other groundfish species. Thus, the amount of pollock available for harvest by vessels harvesting pollock for processing by the offshore component is that amount that will be taken as incidental catch during directed fishing for groundfish species other than pollock, up to the maximum retainable amounts allowed by § 679.20(e) and (f). At this time, these incidental catch amounts of pollock are unknown and will be determined during the fishing year during the course of fishing activities by the offshore component.

TABLE 3—FINAL 2025 DISTRIBUTION OF POLLOCK IN THE WESTERN AND CENTRAL REGULATORY AREAS OF THE GULF OF ALASKA; AREA APPORTIONMENTS; AND SEASONAL ALLOWANCES OF ANNUAL TAC

[Values are rounded to the nearest metric ton [1]]

Season [2]	Shumigan (Area 610)	Chirikof (Area 620)	Kodiak (Area 630)	Total [3]
A (January 20–May 31)	5,589	63,267	16,751	85,607
B (September 1–November 1)	31,755	18,998	34,854	85,607
Annual Total	37,344	82,265	51,605	171,214

[1] Area apportionments and seasonal allowances may not total precisely due to rounding. The 2025 harvest specifications for pollock are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[2] As established by § 679.23(d)(2), directed fishing for pollock in the Western and Central Regulatory Areas is authorized only during the following two seasons: January 20 through May 31 and September 1 through November 1, respectively. The amounts of pollock for processing by the inshore and offshore components are not shown in this table.

[3] The West Yakutat and Southeast Outside District pollock TACs are not allocated by season and are not included in the total pollock TACs shown in this table.

TABLE 4—FINAL 2026 DISTRIBUTION OF POLLOCK IN THE WESTERN AND CENTRAL REGULATORY AREAS OF THE GULF OF ALASKA; AREA APPORTIONMENTS; AND SEASONAL ALLOWANCES OF ANNUAL TAC

[Values are rounded to the nearest metric ton [1]]

Season [2]	Shumigan (Area 610)	Chirikof (Area 620)	Kodiak (Area 630)	Total [3]
A (January 20–May 31)	4,109	46,510	12,314	62,933
B (September 1–November 1)	23,344	13,967	25,622	62,933
Annual Total	27,453	60,477	37,936	125,866

[1] Area apportionments and seasonal allowances may not total precisely due to rounding. The 2026 harvest specifications for pollock are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[2] As established by § 679.23(d)(2), directed fishing for pollock in the Western and Central Regulatory Areas is authorized only during the following two seasons: January 20 through May 31 and September 1 through November 1, respectively. The amounts of pollock for processing by the inshore and offshore components are not shown in this table.

[3] The West Yakutat and Southeast Outside District pollock TACs are not allocated by season and are not included in the total pollock TACs shown in this table.

Annual and Seasonal Apportionments of Pacific Cod TAC

Pursuant to § 679.20(a)(12)(i), NMFS seasonally allocates the 2025 and 2026 Pacific cod TACs in the Western and Central Regulatory Areas of the GOA among gear and operational sectors. In the Western and Central Regulatory Areas, a portion of the annual TAC is apportioned to the A season for hook-and-line, pot, and jig gear from January 1 through June 10, and for trawl gear from January 20 through June 10, and a portion of the annual TAC is apportioned to the B season for jig gear from June 10 through December 31, for hook-and-line and pot gear from September 1 through December 31, and for trawl gear from September 1 through November 1 (§§ 679.20(a)(12) and 679.23(d)(3)). NMFS also allocates the Pacific cod TACs annually between the inshore (90 percent) and offshore (10 percent) components in the Eastern Regulatory Area of the GOA (§ 679.20(a)(6)(ii)).

In the Central GOA, the Pacific cod TAC is first apportioned seasonally to vessels using jig gear, then to catcher vessels (CVs) less than 50 feet (15.2 meters (m)) in length overall using hook-and-line gear, CVs equal to or greater than 50 feet (15.2 m) in length overall using hook-and-line gear, catcher/processors (CPs) using hook-and-line gear, CVs using trawl gear, CPs using trawl gear, and vessels using pot gear (§ 679.20(a)(12)(i)(B)). In the Western GOA, the Pacific cod TAC is first apportioned seasonally to vessels using jig gear, then to CVs using hook-and-line gear, CPs using hook-and-line gear, CVs using trawl gear, CPs using trawl gear, and vessels using pot gear (§ 679.20(a)(12)(i)(A)). After seasonal apportionments of TACs to the jig sector (which are 60 percent to the A season and 40 percent to the B season), § 679.20(a)(12)(i) requires that NMFS seasonally apportions the remainder of the annual Pacific cod TACs in the Western GOA as 63.84 percent to the A season and 36.16 percent to the B season, and in the Central GOA as 64.16 percent to the A season and 35.84 percent to the B season.

Under § 679.20(a)(12)(ii), any overage or underage of Pacific cod allocated to a sector in the A season may be subtracted from, or added to, the subsequent B season. In addition, any portion of a sector's allocation that is determined by NMFS as likely to go unharvested by that sector may be reallocated to other sectors for harvest during the remainder of the fishing year consistent with the reallocation priorities prescribed in regulation and the capability of a sector to harvest the remaining TAC.

Pursuant to § 679.20(a)(12)(i)(A) and (B), a portion of the annual Pacific cod TACs in the Western and Central GOA will be allocated to vessels that use jig gear before the TACs are apportioned among other non-jig gear sectors. In accordance with the FMP, the annual jig sector allocations may increase to up to 6 percent of the annual Western and Central GOA Pacific cod TACs, depending on the annual performance of the jig sector (see table 1 in the final rule implementing Amendment 83 to the FMP for a examples of harvest scenarios affecting annual jig sector allocations (76 FR 74670, December 1, 2011)). Jig sector allocation increases are established for a minimum of 2 years. Jig sector allocation decreases are established for 1 year.

NMFS has evaluated the historical harvest performance of the jig sector in the Western and Central GOA and is establishing the 2025 and 2026 Pacific cod apportionments to this sector based on its historical harvest performance through 2024. For 2025 and 2026, NMFS allocates the jig sector 3.5 percent of the annual Pacific cod TAC in the Western GOA. The 2025 and 2026 allocations consist of a base allocation of 1.5 percent of the Western GOA Pacific cod TAC and a performance increase of 2.0 percent based on harvest performance through 2024. For 2025 and 2026, NMFS allocates the jig sector 3.0 percent of the annual Pacific cod TAC in the Central GOA. The 2025 and 2026 allocations consist of a base allocation of 1.0 percent of the Central GOA Pacific cod TAC and a performance increase of 2.0 percent based on harvest performance through 2024. The 2026 allocations of the annual Pacific cod TACs in the Western and Central GOA to jig gear may change based on the harvest performance of the sector in 2025, which NMFS will evaluate in the 2026 and 2027 harvest specifications.

Tables 5 and 6 list the seasonal apportionments and allocations of the 2025 and 2026 Pacific cod TACs.

TABLE 5—FINAL 2025 SEASONAL APPORTIONMENTS AND ALLOCATION OF PACIFIC COD TOTAL ALLOWABLE CATCH (TAC) AMOUNTS IN THE GOA; ALLOCATIONS IN THE WESTERN GOA AND CENTRAL GOA SECTORS, AND THE EASTERN GOA INSHORE AND OFFSHORE PROCESSING COMPONENTS

[Values are rounded to the nearest metric ton]

Regulatory area and sector	Annual allocation (mt)	A Season		B Season	
		Sector percentage of annual non-jig TAC	Seasonal allowances (mt)	Sector percentage of annual non-jig TAC	Seasonal allowances (mt)
Western GOA:					
Jig (3.5% of TAC)	213	n/a	128	n/a	85
Hook-and-line CV	82	0.7	41	0.7	41
Hook-and-line CP	1,165	10.9	641	8.90	524
Trawl CV	2,260	31.54	1,856	6.86	404
Trawl CP	141	0.9	53	1.5	88
All Pot CV and Pot CP	2,236	19.8	1,165	18.2	1,071
Total	6,097	63.84	3,884	36.16	2,213
Central GOA:					
Jig (3.0% of TAC)	462	n/a	277	n/a	185
Hook-and-line <50 CV	2,178	9.32	1,389	5.29	789
Hook-and-line ≥50 CV	1,000	5.61	836	1.1	164
Hook-and-line CP	762	4.11	613	1	149
Trawl CV [1]	6,203	25.29	3,773	16.29	2,430
Trawl CP	626	2	299	2.19	327
All Pot CV and Pot CP	4,148	17.83	2,660	9.98	1,488
Total	15,379	64.16	9,847	35.84	5,532
Eastern GOA		Inshore (90% of Annual TAC)		Offshore (10% of Annual TAC)	
	2,194		1,975		219

Note: The 2025 harvest specifications for Pacific cod are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] Trawl catcher vessels participating in Rockfish Program cooperatives receive 3.81 percent, or 586 mt, of the annual Central GOA TAC (see table 28c to 50 CFR part 679). This apportionment is deducted from the Trawl CV B season allowance (see table 12 of this rule: Final 2025 Apportionments of Rockfish Secondary Species in the Central GOA to Catcher Vessel and Catcher/Processor Cooperatives).

TABLE 6—FINAL 2026 SEASONAL APPORTIONMENTS AND ALLOCATION OF PACIFIC COD TOTAL ALLOWABLE CATCH (TAC) AMOUNTS IN THE GOA; ALLOCATIONS IN THE WESTERN GOA AND CENTRAL GOA SECTORS, AND THE EASTERN GOA INSHORE AND OFFSHORE PROCESSING COMPONENTS

[Values are rounded to the nearest metric ton]

Regulatory area and sector	Annual allocation (mt)	A Season		B Season	
		Sector percentage of annual non-jig TAC	Seasonal allowances (mt)	Sector percentage of annual non-jig TAC	Seasonal allowances (mt)
Western GOA:					
Jig (3.5% of TAC)	200	n/a	120	n/a	80
Hook-and-line CV	78	0.7	39	0.7	39
Hook-and-line CP	1,094	10.9	602	8.9	492
Trawl CV	2,122	31.54	1,743	6.86	379
Trawl CP	133	0.9	50	1.5	83
All Pot CV and Pot CP	2,100	19.8	1,094	18.2	1,006
Total	5,727	63.84	3,648	36.16	2,079
Central GOA:					
Jig (3.0% of TAC)	433	n/a	260	n/a	173
Hook-and-line <50 CV	2,046	9.32	1,305	5.29	741
Hook-and-line ≥50 CV	940	5.61	786	1.1	154
Hook-and-line CP	715	4.11	575	1	140
Trawl CV [1]	5,828	25.29	3,545	16.29	2,283
Trawl CP	588	2	281	2.19	307
All Pot CV and Pot CP	3,897	17.83	2,499	9.98	1,398
Total	14,447	64.16	9,251	35.84	5,196
Eastern GOA		Inshore (90% of Annual TAC)		Offshore (10% of Annual TAC)	
	2,061		1,855		206

Note: The 2026 harvest specifications for Pacific cod are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] Trawl catcher vessels participating in Rockfish Program cooperatives receive 3.81 percent, or 550 mt, of the annual Central GOA TAC (see table 28c to 50 CFR part 679). This apportionment is deducted from the Trawl CV B season allowance (see table 13 of this rule: Final 2026 Apportionments of Rockfish Secondary Species in the Central GOA to Catcher Vessel and Catcher/Processor Cooperatives).

Allocations of the Sablefish TAC Amounts to Vessels Using Fixed and Trawl Gear

Section 679.20(a)(4)(i) and (ii) require allocations of sablefish TACs for each of the regulatory areas to fixed and trawl gear. In the Western and Central Regulatory Areas, 80 percent of each TAC is allocated to fixed gear, and 20 percent of each TAC is allocated to trawl gear. In the Eastern Regulatory Area, 95 percent of the TAC is allocated to fixed gear, and 5 percent is allocated to trawl gear. The trawl gear allocation in the Eastern Regulatory Area may only be used to support incidental catch of sablefish using trawl gear while directed fishing for other target species (§ 679.20(a)(4)(i)).

In recognition of the prohibition against trawl gear in the SEO District of the Eastern Regulatory Area, the Council recommended, and NMFS approves, specifying for incidental catch the allocation of 5 percent of the combined Eastern Regulatory Area sablefish TAC to trawl gear in the WYK District of the Eastern Regulatory Area. The remainder of the WYK District sablefish TAC is allocated to vessels using fixed gear. NMFS allocates 100 percent of the sablefish TAC in the SEO District to vessels using fixed gear. This results in 2025 allocations of 417 mt to trawl gear and 2,269 mt to fixed gear in the WYK District, a 2025 allocation of 5,660 mt to fixed gear in the SEO District, and a 2026 allocation of 412 mt to trawl gear in the WYK District. Table 7 lists the allocations of the 2025 sablefish TACs to fixed and trawl gear. Table 8 lists the allocations of the 2026 sablefish TACs to trawl gear.

The Council recommended and NMFS agrees that only trawl sablefish TAC be established biennially and that fixed gear sablefish TAC be established for one year. The trawl sablefish TAC is established for 2025 and 2026 so that retention of incidental catch of sablefish by trawl gear could commence in January in the second year of the groundfish harvest specifications. Both the 2025 and 2026 trawl allocations are specified in these final harvest specifications in tables 7 and 8, respectively.

The fixed gear sablefish TAC is established annually to ensure that this Individual Fishing Quota (IFQ) fishery is conducted concurrently with the halibut IFQ fishery and is based on the most recent survey information. Since there is an annual assessment for sablefish and the final harvest specifications are expected to be published before the IFQ season begins in March, NMFS specifies the fixed gear sablefish TAC annually to ensure that the sablefish IFQ fishery is conducted concurrently with the halibut IFQ fishery. Concurrent sablefish and halibut IFQ fisheries reduce the potential for discards of halibut and sablefish in those fisheries. Accordingly, table 7 lists the 2025 fixed gear allocations, and the 2026 fixed gear allocations will be specified in the 2026 and 2027 harvest specifications.

With the exception of the trawl gear allocations that are provided to the Rockfish Program (see table 28c to 50 CFR part 679), directed fishing for sablefish with trawl gear in the GOA is closed during the fishing year (see table 27). Also, fishing for groundfish with trawl gear is prohibited prior to January 20 (§ 679.23(c)). Therefore, it is not likely that the sablefish allocation to trawl gear will be reached before the effective date of these final 2025 and 2026 harvest specifications.

TABLE 7—FINAL 2025 SABLEFISH TAC AMOUNTS IN THE GULF OF ALASKA AND ALLOCATIONS TO FIXED AND TRAWL GEAR

[Values are rounded to the nearest metric ton]

Area/district	TAC	Fixed gear allocation	Trawl gear allocation
Western	4,746	3,797	949
Central [1]	9,744	7,795	1,949
West Yakutat [2]	2,686	2,269	417
Southeast Outside	5,660	5,660	0
Total	22,836	19,521	3,315

Note: The 2025 sablefish allocations to fixed and trawl gear are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] The trawl allocation of sablefish in the Central Regulatory Area is further apportioned to the Rockfish Program cooperatives (1,003 mt). See table 28c to 50 CFR part 679 and table 12 of this rule: Final 2025 Apportionments of Rockfish Secondary Species in the Central GOA to Catcher Vessel and Catcher/Processor Cooperatives. This results in 946 mt being available for the non-Rockfish Program trawl fisheries.

[2] The trawl allocation is based on allocating 5 percent of the combined Eastern Regulatory Area (West Yakutat and Southeast Outside Districts) sablefish TAC as incidental catch to trawl gear in the West Yakutat District.

TABLE 8—FINAL 2026 SABLEFISH TAC AMOUNTS IN THE GULF OF ALASKA AND ALLOCATIONS TO TRAWL GEAR [1]

[Values are rounded to the nearest metric ton]

Area/district	TAC	Fixed gear allocation	Trawl gear allocation
Western	4,687	n/a	937
Central [2]	9,622	n/a	1,924
West Yakutat [3]	2,652	n/a	412
Southeast Outside	5,589	n/a	0
Total	22,550	0	3,274

Note: The 2026 sablefish allocations to trawl gear are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] The Council recommended and NMFS agrees that the final 2026 harvest specifications for the fixed gear sablefish Individual Fishing Quota fisheries not be specified in the final 2025 and 2026 harvest specifications. The final 2026 harvest specifications for fixed gear will be specified in the 2026 and 2027 harvest specifications.

[2] The trawl allocation of sablefish in the Central Regulatory Area is further apportioned to the Rockfish Program cooperatives (990 mt) (see table 28c to 50 CFR part 679 and table 13 of this rule: Final 2026 Apportionments of Rockfish Secondary Species in the Central GOA to Catcher Vessel and Catcher/Processor Cooperatives). This results in 934 mt being available for the non-Rockfish Program trawl fisheries.

[3] The trawl allocation is based on allocating 5 percent of the combined Eastern Regulatory Area (West Yakutat and Southeast Outside Districts) sablefish TAC as incidental catch to trawl gear in the West Yakutat District.

Allocations, Apportionments, and Sideboard Limits for the Rockfish Program

These final 2025 and 2026 harvest specifications for the GOA include the fishery cooperative allocations and sideboard limitations established by the Rockfish Program. Rockfish Program participants are primarily trawl CVs and trawl CPs, with limited participation by vessels using longline gear. The Rockfish Program assigns quota share and cooperative quota to participants for primary species (*i.e.,* Pacific ocean perch, northern rockfish, and dusky rockfish) and secondary species (*i.e.,* Pacific cod, rougheye and blackspotted rockfish, sablefish, shortraker rockfish, and thornyhead rockfish), allows a participant holding a limited license privilege (LLP) license with rockfish quota share to form a rockfish cooperative with other persons, and allows holders of CP LLP licenses to opt out of the fishery. The Rockfish Program also has an entry-level fishery for rockfish primary species for vessels using longline gear. Longline gear includes hook-and-line, jig, troll, and handline gear.

Under the Rockfish Program, rockfish primary species in the Central GOA are allocated to participants after deducting for incidental catch needs in other directed groundfish fisheries (§ 679.81(a)(2)). Participants in the Rockfish Program also receive a portion of the Central GOA TAC of specific secondary species. In addition to groundfish species, the Rockfish Program assigns a portion of the halibut PSC limit (191.4 mt) from the third season deep-water species fishery allowance for the GOA trawl fisheries to Rockfish Program participants (§ 679.81(d) and table 28d to 50 CFR part 679). The Rockfish Program also establishes sideboard limits to restrict the ability of harvesters operating under the Rockfish Program to increase their participation in other, non-Rockfish Program fisheries. These restrictions and halibut PSC limits are discussed in the *Rockfish Program Groundfish Sideboard and Halibut PSC Limitations* section of this rule.

Section 679.81(a)(2)(ii) and table 28e to 50 CFR part 679 require allocations of 5 mt of Pacific ocean perch, 5 mt of northern rockfish, and 50 mt of dusky rockfish to the entry-level longline fishery in 2025 and 2026. The allocations for the entry-level longline fishery may increase incrementally each year if the catch in the previous year exceeds 90 percent of the allocation of a species. The incremental increase in the allocation would continue each year until it reaches the maximum percentage of the TAC assigned to the Rockfish Program for that species. In 2024, the catch of Pacific ocean perch, northern rockfish, and dusky rockfish did not attain the 90 percent threshold, and the final allocations for 2025 therefore remain the same as the 2024 allocations. The remainder of the TACs for the rockfish primary species are allocated to the CV and CP cooperatives (§ 679.81(a)(2)(iii)). Table 9 lists the allocations of the 2025 and 2026 TACs for each rockfish primary species to the entry-level longline fishery, the potential incremental increases for future years, and the maximum percentage of the TACs assigned to the Rockfish Program that may be allocated to the rockfish entry-level longline fishery.

TABLE 9—FINAL 2025 AND 2026 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES TO THE ENTRY-LEVEL LONGLINE FISHERY IN THE CENTRAL GULF OF ALASKA

Rockfish primary species	2025 Allocations (metric tons)	Incremental increase in 2026 if >90% of 2025 allocation is harvested (metric tons)	Up to maximum percent of TAC
Pacific ocean perch	5	5	1
Northern rockfish	5	5	2
Dusky rockfish	50	20	5

Note: The 2025 entry-level longline fishery allocations of rockfish primary species are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 entry-level longline fishery allocations of rockfish primary species are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026. NMFS will specify updated 2026 allocations in the 2026 and 2027 harvest specifications based on harvest in 2025.

Section 679.81 requires allocations of rockfish primary species among various sectors of the Rockfish Program. Tables 10 and 11 list the final 2025 and 2026 allocations of rockfish primary species in the Central GOA to the entry-level longline fishery, and rockfish CV and CP cooperatives in the Rockfish Program. NMFS also is setting aside incidental catch amounts (ICAs) for other directed fisheries in the Central GOA of 3,500 mt of Pacific ocean perch, 300 mt of northern rockfish, and 250 mt of dusky rockfish. These amounts are based on recent average incidental catches of these species in the Central GOA by other groundfish fisheries.

Allocations among vessels belonging to CV or CP cooperatives are not included in these final harvest specifications. Rockfish Program applications for CV cooperatives and CP cooperatives are not due to NMFS until March 1 of each calendar year; therefore, NMFS cannot calculate 2025 and 2026 cooperative allocations in conjunction with these final harvest specifications (§ 679.81(f)). After receiving the Rockfish Program applications, NMFS will calculate the 2025 allocations for CV and CP cooperatives, as set forth in § 679.81(b), (c), and (e). NMFS will announce the 2025 allocations after March 1 and post these allocations on the Alaska Region website at: *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/alaska-fisheries-management-reports#central-goa-rockfish.*

TABLE 10—FINAL 2025 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES IN THE CENTRAL GULF OF ALASKA TO THE ENTRY-LEVEL LONGLINE FISHERY AND ROCKFISH COOPERATIVES IN THE ROCKFISH PROGRAM

[Values are rounded to the nearest metric ton]

Rockfish primary species	Central GOA annual TAC	Incidental catch allowance	TAC minus ICA	Allocation to the entry-level longline [1] fishery	Allocation to the Rockfish cooperatives [2]
Pacific ocean perch	28,209	3,500	24,709	5	24,704
Northern rockfish	3,680	300	3,380	5	3,375
Dusky rockfish	5,818	250	5,568	50	5,518
Total	37,707	4,050	33,657	60	33,597

Note: The 2025 allocations of rockfish primary species in the Central Gulf of Alaska are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] Longline gear includes hook-and-line, jig, troll, and handline gear (§ 679.2).

[2] Rockfish cooperatives include vessels in CV and CP cooperatives (§ 679.81).

TABLE 11—FINAL 2026 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES IN THE CENTRAL GULF OF ALASKA TO THE ENTRY-LEVEL LONGLINE FISHERY AND ROCKFISH COOPERATIVES IN THE ROCKFISH PROGRAM

[Values are rounded to the nearest metric ton]

Rockfish primary species	Central GOA annual TAC	Incidental catch allowance	TAC minus ICA	Allocation to the entry-level longline [1] fishery	Allocation to the Rockfish cooperatives [2]
Pacific ocean perch	27,156	3,500	23,656	5	23,651
Northern rockfish	3,549	300	3,249	5	3,244
Dusky rockfish	5,527	250	5,277	50	5,227
Total	36,232	4,050	32,182	60	32,122

Note: The 2026 allocations of rockfish primary species in the Central Gulf of Alaska are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] Longline gear includes hook-and-line, jig, troll, and handline gear (§ 679.2).

[2] Rockfish cooperatives include vessels in CV and CP cooperatives (§ 679.81).

Section 679.81(c) and table 28c to 50 CFR part 679 require allocations of rockfish secondary species to CV and CP cooperatives in the Central GOA. CV cooperatives receive allocations of Pacific cod, sablefish from the trawl gear allocation, and thornyhead rockfish. CP cooperatives receive allocations of sablefish from the trawl gear allocation, rougheye and blackspotted rockfish, shortraker rockfish, and thornyhead rockfish. Tables 12 and 13 list the apportionments of the 2025 and 2026 TACs of rockfish secondary species in the Central GOA to CV and CP cooperatives.

TABLE 12—FINAL 2025 APPORTIONMENTS OF ROCKFISH SECONDARY SPECIES IN THE CENTRAL GOA TO CATCHER VESSEL AND CATCHER/PROCESSOR COOPERATIVES

[Values are rounded to the nearest metric ton]

Rockfish secondary species	Central GOA annual TAC	Catcher vessel cooperatives		Catcher/processor cooperatives	
		Percentage of TAC	Apportionment (mt)	Percentage of TAC	Apportionment (mt)
Pacific cod	15,379	3.81	586	n/a	n/a
Sablefish	9,744	6.78	661	3.51	342
Shortraker rockfish	189	n/a	n/a	40.0	76
Rougheye/blackspotted rockfish	359	n/a	n/a	58.87	211
Thornyhead rockfish	590	7.84	46	26.5	156

Note: The 2025 allocations of rockfish secondary species in the Central Gulf of Alaska are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

TABLE 13—FINAL 2026 APPORTIONMENTS OF ROCKFISH SECONDARY SPECIES IN THE CENTRAL GOA TO CATCHER VESSEL AND CATCHER/PROCESSOR COOPERATIVES

[Values are rounded to the nearest metric ton]

Rockfish secondary species	Central GOA annual TAC	Catcher vessel cooperatives		Catcher/processor cooperatives	
		Percentage of TAC	Apportionment (mt)	Percentage of TAC	Apportionment (mt)
Pacific cod	14,447	3.81	550	n/a	n/a
Sablefish	9,622	6.78	652	3.51	338

TABLE 13—FINAL 2026 APPORTIONMENTS OF ROCKFISH SECONDARY SPECIES IN THE CENTRAL GOA TO CATCHER VESSEL AND CATCHER/PROCESSOR COOPERATIVES—Continued

[Values are rounded to the nearest metric ton]

Rockfish secondary species	Central GOA annual TAC	Catcher vessel cooperatives		Catcher/processor cooperatives	
		Percentage of TAC	Apportionment (mt)	Percentage of TAC	Apportionment (mt)
Shortraker rockfish	189	n/a	n/a	40.0	76
Rougheye/blackspotted rockfish	366	n/a	n/a	58.87	215
Thornyhead rockfish	590	7.84	46	26.5	156

Note: The 2026 allocations of rockfish secondary species in the Central Gulf of Alaska are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

Halibut PSC Limits

Section 679.21(d) establishes annual halibut PSC limit apportionments of 1,705 mt for trawl gear, 256 mt for hook-and-line gear, and 9 mt for the demersal shelf rockfish (DSR) fishery in the SEO District. It also authorizes the establishment of apportionments for pot gear.

The DSR fishery in the SEO District is defined at § 679.21(d)(2)(ii)(A). This fishery is apportioned 9 mt of the halibut PSC limit in recognition of its small-scale harvests of groundfish (§ 679.21(d)(2)(i)(A)). The separate halibut PSC limit for the DSR fishery is intended to prevent that fishery from being impacted from the halibut PSC incurred by other GOA fisheries. NMFS estimates low halibut bycatch in the DSR fishery because the commercial GHL fishery for DSR has been closed since 2020 due to concerns about declining DSR biomass.

NMFS, after consultation with the Council, exempts pot gear, the sablefish IFQ fixed gear fishery categories, and jig gear from the non-trawl halibut PSC limit for 2025 and 2026. The Council recommended, and NMFS approves, these exemptions because: (1) the pot gear fisheries have low annual halibut bycatch mortality; (2) IFQ program regulations prohibit discard of legal-sized halibut if any halibut IFQ permit holder on board a catcher vessel holds unused halibut IFQ for that vessel category and the IFQ regulatory area in which the vessel is operating (§ 679.7(f)(11)); (3) some sablefish IFQ fishermen hold halibut IFQ permits and are therefore required to retain legal-sized halibut they catch while fishing sablefish IFQ; and (4) NMFS estimates negligible halibut mortality for the jig gear fisheries given the small amount of groundfish harvested by jig gear, the selective nature of jig gear, and the high survival rates of halibut caught and released with jig gear.

The best information available on estimated halibut bycatch consists of data collected by fisheries observers during 2024. The estimated halibut bycatch mortality through December 31, 2024 is 504 mt for trawl gear and 30 mt for hook-and-line gear for a total halibut mortality of 534 mt. The estimated halibut bycatch mortality was calculated using groundfish and halibut catch data from the NMFS Alaska Region's catch accounting system. This accounting system contains historical and recent catch information compiled from each Alaska groundfish fishery.

Sections 679.21(d)(4)(i) and (ii) authorize NMFS to seasonally apportion the halibut PSC limits after consultation with the Council. The FMP and regulations require that NMFS and the Council consider the following information in seasonally apportioning halibut PSC limits: (1) seasonal distribution of halibut; (2) seasonal distribution of target groundfish species relative to halibut distribution; (3) expected halibut bycatch needs on a seasonal basis relative to changes in halibut biomass and expected catch of target groundfish species; (4) expected bycatch rates on a seasonal basis; (5) expected changes in directed groundfish fishing seasons; (6) expected actual start of fishing effort; and (7) economic effects of establishing seasonal halibut allocations on segments of the target groundfish industry. The Council considered information from the 2024 SAFE report, NMFS catch data, State catch data, International Pacific Halibut Commission (IPHC) stock assessment and mortality data, and public testimony when apportioning the halibut PSC limits. NMFS concurs with the Council's recommendations listed in table 14, which shows the final Pacific halibut PSC limits, allowances, and apportionments.

Sections 679.21(d)(4)(iii) and (iv) specify that any unused amounts, or overages, of a seasonal apportionment of a halibut PSC limit will be added to, or deducted from, the next respective seasonal apportionment within the fishing year.

TABLE 14—FINAL 2025 AND 2026 PACIFIC HALIBUT PROHIBITED SPECIES CATCH (PSC) LIMITS, ALLOWANCES, AND APPORTIONMENTS

[Values are in metric tons]

Trawl gear			Hook-and-line gear [1]				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20–April 1	30.5	520	January 1–June 10	86	220	January 1–December 31	9
April 1–July 1	20.0	341	June 10–September 1	2	5		
July 1–August 1	27.0	460	September 1–December 31	12	31		
August 1–October 1	7.5	128					
October 1–December 31	15.0	256					
Total		1,705			256		9

Note: The 2025 Pacific halibut prohibited species catch limits, allowances, and apportionments are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 Pacific halibut prohibited species catch limits, allowances, and apportionments are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] The Pacific halibut prohibited species catch (PSC) limit for hook-and-line gear is assigned to the DSR fishery in the SEO District and to the hook-and-line fisheries other than the DSR fishery. The fixed gear sablefish IFQ fishery is exempt from halibut PSC limits, as are pot and jig gear for all groundfish fisheries.

Section 679.21(d)(3)(ii) authorizes further apportionment of the trawl halibut PSC limit to trawl fishery categories listed in § 679.21(d)(3)(iii). The annual apportionments are based on each category's proportional share of the anticipated halibut bycatch mortality during the fishing year and optimization of the total amount of groundfish harvest under the halibut PSC limit. The fishery categories for the trawl halibut PSC limits are: (1) a deep-water species fishery, composed of sablefish, rockfish, deep-water flatfish, rex sole, and arrowtooth flounder; and (2) a shallow-water species fishery, composed of pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and ''other species'' (*i.e.,* sharks and octopuses) (§ 679.21(d)(3)(iii)).

NMFS will combine available trawl halibut PSC limit apportionments during a portion of the second season deep-water and shallow-water species fishery categories for use in either fishery category from May 15 through June 30 (§ 679.21(d)(4)(iii)(D)). This is intended to maintain groundfish harvest while minimizing halibut bycatch by these sectors to the extent practicable. This provides the deep-water and shallow-water species trawl fisheries additional flexibility and the incentive to participate in fisheries at times of the year that may have lower halibut PSC rates relative to other times of the year.

Table 15 lists the final apportionments of trawl halibut PSC limits between the trawl gear deep-water and shallow-water species fishery categories.

Table 28d to 50 CFR part 679 specifies the amount of the trawl halibut PSC limit that is assigned to the CV and CP sectors that are participating in the Rockfish Program. This includes 117 mt of halibut PSC limit to the CV sector and 74 mt of halibut PSC limit to the CP sector. These amounts are assigned from the trawl deep-water species fishery category's halibut PSC third seasonal apportionment. After the combined CV and CP halibut PSC limit allocation of 191 mt to the Rockfish Program, 149 mt remains for the trawl deep-water species fishery category's halibut PSC third seasonal apportionment.

Section 679.21(d)(4)(iii)(B) limits the amount of the halibut PSC limit assigned to Rockfish Program participants that could be re-apportioned to the last seasonal apportionment for the general GOA trawl fisheries during the current fishing year to no more than 55 percent of the unused annual halibut PSC limit apportioned to Rockfish Program participants. The remainder of the unused Rockfish Program halibut PSC limit is unavailable for use by any person for the remainder of the fishing year (§ 679.21(d)(4)(iii)(C)).

TABLE 15—FINAL 2025 AND 2026 APPORTIONMENT OF PACIFIC HALIBUT PROHIBITED SPECIES CATCH LIMITS BETWEEN THE TRAWL GEAR DEEP-WATER SPECIES FISHERY AND THE SHALLOW-WATER SPECIES FISHERY CATEGORIES

[Values are in metric tons]

Season	Shallow-water	Deep-water [1]	Total
January 20–April 1	385	135	520
April 1–July 1	85	256	341
July 1–August 1	120	340	460
August 1–October 1	53	75	128
Subtotal January 20–October 1	643	806	1,449
October 1–December 31 [2]	n/a	n/a	256
Total	n/a	n/a	1,705

Note: The 2025 apportionments of Pacific halibut prohibited species catch limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 apportionments of Pacific halibut prohibited species catch limits are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] Vessels participating in cooperatives in the Central GOA Rockfish Program will receive 191 mt of the third season (July 1 through August 1) deep-water species fishery category halibut PSC apportionment (see table 28d to 50 CFR part 679).

[2] There is no apportionment between trawl shallow-water and deep-water species fishery categories during the fifth season (October 1 through December 31).

Section 679.21(d)(2)(i)(B) requires that the ''other hook-and-line fishery'' halibut PSC limit apportionment to vessels using hook-and-line gear must be apportioned between CVs and CPs in accordance with § 679.21(d)(2)(iii) in conjunction with these harvest specifications. The halibut PSC apportionment is based on the Western and Central GOA Pacific cod allocations, which vary annually based on the proportion of the Pacific cod biomass between the Western, Central, and Eastern GOA. Updated information in the final 2024 SAFE report describes this distributional calculation, which apportions ABC among GOA regulatory areas on the basis of the three most recent stock surveys. For 2025 and 2026, the distribution of the total GOA Pacific cod ABC is 27.1 percent to the Western GOA, 63.8 percent to the Central GOA, and 9.1 percent to the Eastern GOA. Therefore, the calculations made in accordance with § 679.21(d)(2)(iii) incorporate the most recent information on GOA Pacific cod distribution and allocations with respect to establishing the annual halibut PSC limits for the CV and CP hook-and-line sectors of the ''other hook-and-line fishery.'' Additionally, the annual halibut PSC limits for both the CV and CP sectors of the ''other hook-and-line fishery'' are divided into three seasonal apportionments, using seasonal percentages of 86 percent, 2 percent, and 12 percent.

In this final rule, NMFS apportions halibut PSC limits of 149 mt and 107 mt to the hook-and-line CV and hook-and-line CP sectors, respectively. Table 16 lists the final apportionments of halibut PSC limits between the hook-and-line CV and the hook-and-line CP sectors of the ''other hook-and-line fishery.''

No later than November 1 of each year, NMFS will calculate the projected unused amount of halibut PSC limit by either of the CV or CP hook-and-line sectors that comprise the two sectors of the ''other hook-and-line fishery'' for the remainder of the year. The projected unused amount of halibut PSC limit is

made available to the other sector for the remainder of that fishing year if NMFS determines that an additional amount of halibut PSC is necessary for that sector to continue its directed fishing operations (§ 679.21(d)(2)(iii)(C)).

TABLE 16—FINAL 2025 AND 2026 APPORTIONMENTS OF THE ''OTHER HOOK-AND-LINE FISHERY'' ANNUAL HALIBUT PROHIBITED SPECIES CATCH LIMIT BETWEEN THE HOOK-AND-LINE GEAR CATCHER VESSEL AND CATCHER/PROCESSOR SECTORS

[Values are in metric tons]

''Other than DSR'' allowance	Hook-and-line sector	Sector annual amount	Season	Seasonal percentage	Sector seasonal amount
256	Catcher Vessel	149	January 1–June 10	86	128
			June 10–September 1	2	3
			September 1–December 31	12	18
	Catcher/Processor	107	January 1–June 10	86	92
			June 10–September 1	2	2
			September 1–December 31	12	13

Note: The 2025 apportionments of Pacific halibut prohibited species catch limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 apportionments of Pacific halibut prohibited species catch limits are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

Estimates of Halibut Biomass and Stock Condition

The IPHC annually assesses the abundance and potential yield of the Pacific halibut stock using all available data from the commercial and sport fisheries, other removals, and scientific surveys. Additional information on the Pacific halibut stock assessment may be found in the IPHC's 2024 Pacific halibut stock assessment (December 2024), available on the IPHC website at: *https://www.iphc.int.* The IPHC considered the 2024 Pacific halibut stock assessment at its January 2025 annual meeting when it set the 2025 commercial halibut fishery catch limits.

Halibut Discard Mortality Rates

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut incidental catch rates, halibut discard mortality rates (DMRs), and estimates of groundfish catch to project when a fishery's halibut bycatch mortality allowance or seasonal apportionment is reached. Halibut incidental catch rates are based on observed estimates of halibut incidental catch in the groundfish fishery. DMRs are estimates of the proportion of incidentally caught halibut that do not survive after being returned to the sea. The cumulative halibut mortality that accrues to a particular halibut PSC limit is the product of a DMR multiplied by the estimated halibut PSC. DMRs are estimated using the best scientific information available in conjunction with the annual GOA stock assessment process. The DMR methodology and findings are included as an appendix to the annual GOA groundfish SAFE report.

In 2016, the DMR estimation methodology underwent revisions per the Council's recommendation. An interagency halibut working group of IPHC, Council, and NMFS staff developed improved estimation methods that have undergone review by the GOA Plan Team, SSC, and the Council. A summary of the revised methodology is contained in the GOA proposed 2017 and 2018 harvest specifications (81 FR 87881, December 6, 2016), and a comprehensive discussion of the working group's statistical methodology is available from the Council (see **ADDRESSES**). The DMR working group's revised methodology is intended to improve estimation accuracy, transparency, and transferability in the methodology used for calculating DMRs. The working group will continue to consider improvements to the methodology used to calculate halibut mortality, including potential changes to the reference period (*i.e.,* the period of data used for calculating the DMRs). The new methodology continues to ensure that NMFS is using DMRs that accurately reflect halibut mortality, which will inform the sectors of their estimated halibut mortality and allow sectors to respond with methods that could reduce mortality and eventually the DMR for that sector.

At the December 2024 meeting, the SSC, AP, and Council concurred with the continued use of the revised DMR estimation methodology, and NMFS adopts for 2025 and 2026 the DMRs calculated under the revised methodology, which uses an updated 2-year and 4-year reference period depending on data availability. The final 2025 and 2026 DMRs in this rule are unchanged from the DMRs in the proposed 2025 and 2026 harvest specifications (89 FR 94680, November 29, 2024). Table 17 lists these final 2025 and 2026 DMRs.

TABLE 17—FINAL 2025 AND 2026 HALIBUT DISCARD MORTALITY RATES FOR VESSELS FISHING IN THE GULF OF ALASKA

[Values are percent of halibut assumed to be dead]

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pelagic trawl	Catcher vessel	All	100
	Catcher/processor	All	100
Non-pelagic trawl	Catcher vessel	Rockfish Program	56
	Catcher vessel	All others	74
	Mothership and catcher/processor	All	76
Hook-and-line	Catcher/processor	All	10
	Catcher vessel	All	19

TABLE 17—FINAL 2025 AND 2026 HALIBUT DISCARD MORTALITY RATES FOR VESSELS FISHING IN THE GULF OF ALASKA—Continued

[Values are percent of halibut assumed to be dead]

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pot	Catcher vessel and catcher/processor	All	32

Note: The halibut DMRs are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

Chinook Salmon Prohibited Species Catch Limits

There are Chinook salmon PSC limits for the directed pollock trawl fishery in the Western and Central GOA. NMFS is required to close the directed pollock fishery in the Western and Central Regulatory Areas of the GOA if the applicable Chinook salmon PSC limit in that regulatory area will be reached (§ 679.21(h)(8)). Section 679.21(h)(2) sets the annual Chinook salmon PSC limits in the directed pollock fishery of 6,684 salmon in the Western GOA and 18,316 salmon in the Central GOA. The Central GOA Chinook salmon PSC limit was reached in 2024 and NMFS closed directed fishing for pollock in the Central GOA on September 25, 2024, for the remainder of the 2024 fishing year (89 FR 79454, September 30, 2024).

There are also Chinook salmon PSC limits for the trawl non-pollock groundfish fisheries in the Western and Central GOA. Section 679.21(h)(3) and (4) establishes an initial annual PSC limit of 7,500 Chinook salmon for the trawl non-pollock groundfish fisheries in the Western and Central GOA. This limit is apportioned among the 3 sectors that conduct directed fishing for groundfish species other than pollock: (1) 3,600 Chinook salmon to trawl CPs; (2) 1,200 Chinook salmon to trawl CVs participating in the Rockfish Program; and (3) 2,700 Chinook salmon to trawl CVs not participating in the Rockfish Program (§ 679.21(h)(4)). NMFS will monitor the Chinook salmon PSC in the trawl non-pollock groundfish fisheries and close an applicable sector if it reaches its Chinook salmon PSC limit (§ 679.21(h)(8)).

The Chinook salmon PSC limit for two sectors, trawl CPs and trawl CVs not participating in the Rockfish Program, may be increased in subsequent years based on the performance of these two sectors and their ability to minimize their use of their respective Chinook salmon PSC limits during a calendar year. If either or both of these 2 sectors limits its use of Chinook salmon PSC during the year to the specified threshold amount (*i.e.,* 3,120 for trawl CPs and 2,340 for Non-Rockfish Program trawl CVs), the Chinook salmon PSC limit the following year will be set to 4,080 and 3,060, respectively (§ 679.21(h)(4)). In 2024, the trawl CP sector did not exceed 3,120 Chinook salmon PSC; therefore, the 2025 trawl CP sector Chinook salmon PSC limit will be 4,080 Chinook salmon. In 2024, the Non-Rockfish Program trawl CV sector did not exceed 2,340 Chinook salmon PSC; therefore, the 2025 Non-Rockfish Program trawl CV sector Chinook salmon PSC limit will be 3,060 Chinook salmon. In the 2026 and 2027 harvest specifications, NMFS will specify the 2026 PSC limits for trawl CPs and Non-Rockfish Program trawl CV based on their performance and their ability to minimize their use of their respective Chinook salmon PSC limits during the 2025 calendar year (§ 679.21(h)(4)).

American Fisheries Act (AFA) Catcher/Processor and Catcher Vessel Groundfish Harvest Limits

Section 679.64 establishes groundfish harvesting and processing sideboard limitations on AFA CPs and CVs in the GOA. These sideboard limits are necessary to protect the interests of fishermen and processors who do not directly benefit from the AFA as compared to those fishermen and processors who receive exclusive harvesting and processing privileges under the AFA. In addition, § 679.7(k)(1)(ii) prohibits listed AFA CPs and CPs designated on a listed AFA CP permit from harvesting any species of groundfish in the GOA. Section 679.7(k)(1)(iv) prohibits listed AFA CPs and CPs designated on a listed AFA CP permit from processing any pollock harvested in a directed pollock fishery in the GOA and any groundfish harvested in Statistical Area 630 of the GOA.

Section 679.64(b)(3)(iv) establishes the CV groundfish sideboard limits in the GOA based on the aggregate retained catch by non-exempt AFA CVs of each sideboard species from 2009 through 2019 divided by the TAC for that species available to CVs from 2009 through 2019. Under the Pacific Cod Trawl Cooperative (PCTC) Program, NMFS modified the calculation of the sideboard ratios for non-exempt AFA CVs, using the qualifying years of 2009 through 2019 (88 FR 53704, August 8, 2023). Previously, sideboard limits were based on the ratio of catch to the TAC during the years 1995 through 1997.

Non-exempt AFA CVs are prohibited in regulation from directed fishing for specific groundfish species or species groups subject to sideboard limits (§ 679.20(d)(1)(iv)(D) and table 56 to 50 CFR part 679) (84 FR 2723, February 8, 2019). Under the PCTC Program, NMFS also promulgated regulations to prohibit non-exempt AFA CVs from directed fishing for additional groundfish species or species groups subject to sideboard limits (88 FR 53704, August 8, 2023). All of these directed fishing prohibitions are found in the revised table 56 to 50 CFR part 679. Sideboard limits for species or species groups not listed in table 56 continue to be calculated and included in the GOA annual harvest specifications.

Tables 18 and 19 list the final groundfish sideboard limits for non-exempt AFA CVs. NMFS will deduct all targeted or incidental catch of sideboard species made by non-exempt AFA CVs from the sideboard limits listed in tables 18 and 19.

TABLE 18—FINAL 2025 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season	Area	Ratio of 2009–2019 non-exempt AFA CV retained catch to 2009–2019 TAC	Final 2025 TACs	Final 2025 non-exempt AFA CV sideboard limit
Pollock	A Season: January 20–May 31	Shumagin (610)	0.057	5,589	319
		Chirikof (620)	0.064	63,267	4,049
		Kodiak (630)	0.091	16,751	1,524
	B Season: September 1–November 1	Shumagin (610)	0.057	31,755	1,810
		Chirikof (620)	0.064	18,998	1,216
		Kodiak (630)	0.091	34,854	3,172
	Annual	WYK (640)	0.026	5,282	137
Pacific cod	A Season [1]: January 1–June 10	W	0.009	3,884	35
		C	0.011	9,847	108
	B Season [2]: September 1–December 31.	W	0.009	2,213	20
		C	0.011	5,532	61
Flatfish, shallow-water.	Annual	C	0.011	28,279	311
Rex sole	Annual	C	0.014	13,698	192
Arrowtooth flounder	Annual	C	0.011	68,261	751
Flathead sole	Annual	C	0.007	21,817	153

Note: The 2025 GOA non-exempt AFA CV groundfish sideboard limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for trawl gear closes November 1.

TABLE 19—FINAL 2026 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season	Area	Ratio of 2009–2019 non-exempt AFA CV retained catch to 2009–2019 TAC	Final 2026 TAC	Final 2026 non-exempt AFA CV sideboard limit
Pollock	A Season: January 20–May 31	Shumagin (610)	0.057	4,109	234
		Chirikof (620)	0.064	46,510	2,977
		Kodiak (630)	0.091	12,314	1,121
	B Season: September 1–November 1	Shumagin (610)	0.057	23,344	1,331
		Chirikof (620)	0.064	13,967	894
		Kodiak (630)	0.091	25,622	2,332
	Annual	WYK (640)	0.026	3,883	101
Pacific cod	A Season [1]: January 1–June 10	W	0.009	3,648	33
		C	0.011	9,251	102
	B Season [2]: September 1–December 31.	W	0.009	2,079	19
		C	0.011	5,196	57
Flatfish, shallow-water.	Annual	C	0.011	28,455	313
Rex sole	Annual	C	0.014	13,582	190
Arrowtooth flounder	Annual	C	0.011	68,511	754
Flathead sole	Annual	C	0.007	22,083	155

Note: The 2026 GOA non-exempt AFA CV groundfish sideboard limits are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for trawl gear closes November 1.

Non-Exempt AFA Catcher Vessel Halibut PSC Limits

The non-exempt AFA catcher vessels and the associated LLP licenses PSC limit for halibut in the GOA will be an annual amount based on a static ratio of 0.072, which was derived from the aggregate retained groundfish catch by non-exempt AFA CVs in each PSC target category from 2009 through 2019 (§ 679.64(b)(4)(ii)). This change was implemented with the PCTC Program (88 FR 53704, August 8, 2023). Prior to the PCTC Program, the halibut PSC sideboard limits for non-exempt AFA CVs in the GOA were based on the aggregate retained groundfish catch by

non-exempt AFA CVs in each PSC target category from 1995 through 1997 divided by the retained catch of all vessels in that fishery from 1995 through 1997. Table 20 lists the final non-exempt AFA CV halibut PSC sideboard limits for vessels using trawl gear in the GOA.

TABLE 20—FINAL 2025 AND 2026 NON-EXEMPT AFA CV HALIBUT PROHIBITED SPECIES CATCH (PSC) SIDEBOARD LIMITS FOR VESSELS USING TRAWL GEAR IN THE GOA

Ratio (percent)	Annual trawl gear halibut PSC limit (mt)	Annual non-exempt AFA CV halibut PSC limit (mt)
0.072	1,705	123

Note: The non-exempt AFA CV halibut PSC sideboard limits are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

Non-AFA Crab Vessel Groundfish Harvest Limitations

Section 680.22 establishes groundfish catch limits for vessels with a history of participation in the Bering Sea snow crab fishery to prevent these vessels from using the increased flexibility provided by the Crab Rationalization (CR) Program to expand their level of participation in the GOA groundfish fisheries. Sideboard limits restrict these vessels' catch to their collective historical landings in each GOA groundfish fishery (except the fixed-gear sablefish fishery). Sideboard limits also apply to catch made using an LLP license derived from the history of a restricted vessel, even if that LLP license is used on another vessel.

The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the CR Program, including Amendments 18 and 19 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (Crab FMP) (70 FR 10174, March 2, 2005), Amendment 34 to the Crab FMP (76 FR 35772, June 20, 2011), Amendment 83 to the GOA FMP (76 FR 74670, December 1, 2011), Amendment 45 to the Crab FMP (80 FR 28539, May 19, 2015). In addition, through rulemaking (84 FR 2723, February 8, 2019), non-AFA crab vessels are prohibited from directed fishing for all groundfish species or species groups subject to sideboard limits, except for Pacific cod apportioned to CVs using pot gear in the Western and Central Regulatory Areas (§ 680.22(e)(1)(iii)).

Tables 21 and 22 list the final groundfish sideboard limitations for non-AFA crab vessels. All targeted or incidental catch of sideboard species made by non-AFA crab vessels or associated LLP licenses will be deducted from these sideboard limits.

TABLE 21—FINAL 2025 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season	Area/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2025 TACs	Final 2025 non-AFA crab vessel sideboard limit
Pacific cod	A Season: January 1–June 10	Western Pot CV ...	0.0997	3,884	387
		Central Pot CV	0.0474	9,847	467
	B Season: September 1–December 31.	Western Pot CV ...	0.0997	2,213	221
		Central Pot CV	0.0474	5,532	262

Note: The 2025 GOA non-AFA crab vessel groundfish sideboard limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

TABLE 22—FINAL 2026 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season	Area/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2026 TACs	Final 2026 non-AFA crab vessel sideboard limit
Pacific cod	A Season: January 1–June 10	Western Pot CV ...	0.0997	3,648	364
		Central Pot CV	0.0474	9,251	438
	B Season: September 1–December 31.	Western Pot CV ...	0.0997	2,079	207
		Central Pot CV	0.0474	5,196	246

Note: The 2026 GOA non-AFA crab vessel groundfish sideboard limits are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

Rockfish Program Groundfish Sideboard and Halibut PSC Limitations

The Rockfish Program establishes three classes of sideboard provisions: (1) CV groundfish sideboard restrictions; (2) CP rockfish sideboard restrictions; and (3) CP opt-out vessel sideboard restrictions (§ 679.82(c)(1)). These sideboards are intended to limit the ability of rockfish harvesters to expand into other GOA groundfish fisheries.

CVs participating in the Rockfish Program may not participate in directed fishing for dusky rockfish, Pacific ocean perch, and northern rockfish in the West Yakutat District and Western GOA from July 1 through July 31. Also, CVs may not participate in directed fishing for arrowtooth flounder, deep-water flatfish, and rex sole in the GOA from July 1 through July 31 (§ 679.82(d)).

CPs participating in Rockfish Program cooperatives are restricted by rockfish

and halibut PSC sideboard limits. These CPs are prohibited from directed fishing for dusky rockfish, Pacific ocean perch, and northern rockfish in the West Yakutat District and Western GOA from July 1 through July 31 (§ 679.82(e)(2)). Prior to 2021, CPs participating in Rockfish Program cooperatives were restricted by rockfish sideboard limits in the Western GOA. A final rule that implemented Amendment 111 to the FMP (86 FR 11895, March 1, 2021) removed from regulation the Western GOA rockfish sideboard limits for Rockfish Program CPs. That rule also revised and clarified the establishment of the West Yakutat District rockfish sideboard ratios in regulation. The rockfish sideboard ratio for each rockfish fishery in the West Yakutat District is an established percentage of the TAC for CPs in the directed fishery for dusky rockfish and Pacific ocean perch (§ 679.82(e)(4)). These percentages are confidential.

Holders of CP-designated LLP licenses that opt out of participating in a Rockfish Program cooperative will be able to access that portion of each rockfish sideboard limit that is not assigned to rockfish cooperatives (§ 679.82(e)(7)).

Under the Rockfish Program, the CP sector is subject to halibut PSC sideboard limits for the trawl deep-water and shallow-water species fisheries (§ 679.82(e)(3) and (5)). Halibut PSC sideboard ratios by fishery are set forth in § 679.82(e)(5). The CP sector halibut PSC sideboard limits are effective from July 1 through July 31 (§ 679.82(c)(4) and (e)(6)). No halibut PSC sideboard limits apply to the CV sector, as CVs participating in cooperatives receive a portion of the annual halibut PSC limit. CPs that opt out of the Rockfish Program are able to access that portion of the deep-water and shallow-water species fishery halibut PSC sideboard limit not assigned to CP rockfish cooperatives. The sideboard provisions for CPs that elect to opt out of participating in a rockfish cooperative are described in § 679.82(c), (e), and (f). Sideboard limits are linked to the catch history of specific vessels; however, some of these vessels may choose to opt out of the Rockfish Program. After March 1, NMFS will determine which CPs have opted-out of the Rockfish Program in 2025, and NMFS will know the ratios and amounts used to calculate opt-out sideboard ratios. NMFS will then calculate any applicable opt-out sideboards for 2025. NMFS will announce these limits after March 1 and post the limits on the Alaska Region website at: *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/alaska-fisheries-management-reports#central-goa-rockfish.* Table 23 lists the final Rockfish Program halibut PSC sideboard limits for the CP sector.

TABLE 23—FINAL 2025 AND 2026 ROCKFISH PROGRAM HALIBUT PSC SIDEBOARD LIMITS FOR THE CATCHER/PROCESSOR SECTOR

[Values are rounded to the nearest metric ton]

Sector	Shallow-water species fishery halibut PSC sideboard ratio (percent)	Deep-water species fishery halibut PSC sideboard ratio (percent)	2025 and 2026 halibut mortality limit (mt)	Annual shallow-water species fishery halibut PSC sideboard limit (mt)	Annual deep-water species fishery halibut PSC sideboard limit (mt)
Catcher/processor	0.10	2.50	1,705	2	43

Note: The Rockfish Program halibut PSC sideboard limits are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

Amendment 80 Program Groundfish and PSC Sideboard Limits

Amendment 80 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (Amendment 80 Program) established a limited access privilege program for the non-AFA trawl CP sector. The Amendment 80 Program established groundfish and halibut PSC catch limits for Amendment 80 Program participants to limit the ability of participants eligible for the Amendment 80 Program to expand their harvest efforts in the GOA.

Section 679.92 establishes groundfish harvesting sideboard limits on all Amendment 80 program vessels, other than the fishing vessel (F/V) ''Golden Fleece,'' to amounts no greater than the limits listed in table 37 to 50 CFR part 679. Under § 679.92(d), the F/V ''Golden Fleece'' is prohibited from directed fishing for pollock, Pacific cod, Pacific ocean perch, dusky rockfish, and northern rockfish in the GOA.

Groundfish sideboard limits for Amendment 80 Program vessels operating in the GOA are based on their average aggregate harvests from 1998 through 2004 (72 FR 52668, September 14, 2007). Tables 24 and 25 list the final groundfish sideboard limits for Amendment 80 Program vessels. NMFS will deduct all targeted or incidental catch of sideboard species made by Amendment 80 Program vessels from the sideboard limits in tables 24 and 25.

TABLE 24—FINAL 2025 GOA GROUNDFISH SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS

[Values are rounded to nearest metric ton]

Species	Season	Area	Ratio of Amendment 80 sector vessels 1998–2004 catch to TAC	2025 TAC (mt)	2025 Amendment 80 vessel sideboard limit (mt)
Pollock	A Season: January 20–May 31	Shumagin (610)	0.003	5,589	17
		Chirikof (620)	0.002	63,267	127
		Kodiak (630)	0.002	16,751	34
	B Season: September 1–November 1	Shumagin (610)	0.003	31,755	95
		Chirikof (620)	0.002	18,998	38
		Kodiak (630)	0.002	34,854	70

TABLE 24—FINAL 2025 GOA GROUNDFISH SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS—Continued

[Values are rounded to nearest metric ton]

Species	Season	Area	Ratio of Amendment 80 sector vessels 1998–2004 catch to TAC	2025 TAC (mt)	2025 Amendment 80 vessel sideboard limit (mt)
	Annual	WYK (640)	0.002	5,282	11
Pacific cod	A Season [1]: January 1–June 10	W	0.020	3,884	78
		C	0.044	9,847	433
	B Season [2]: September 1–December 31.	W	0.020	2,213	44
		C	0.044	5,532	243
	Annual	WYK	0.034	2,194	75
Pacific ocean perch.	Annual	W	0.994	1,753	1742
		WYK	0.961	2,070	1989
Northern rockfish	Annual	W	1.000	1,396	1396
Dusky rockfish	Annual	W	0.764	209	160
		WYK	0.896	215	193

Note: The 2025 GOA groundfish sideboard limits for Amendment 80 Program vessels are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for trawl gear closes November 1.

TABLE 25—FINAL 2026 GOA GROUNDFISH SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS

[Values are rounded to nearest metric ton]

Species	Season	Area	Ratio of Amendment 80 sector vessels 1998–2004 catch to TAC	2026 TAC (mt)	2026 Amendment 80 vessel sideboard limit (mt)
Pollock	A Season: January 20–May 31	Shumagin (610)	0.003	4,109	12
		Chirikof (620)	0.002	46,510	93
		Kodiak (630)	0.002	12,314	25
	B Season: September 1–November 1	Shumagin (610)	0.003	23,344	70
		Chirikof (620)	0.002	13,967	28
		Kodiak (630)	0.002	25,622	51
	Annual	WYK (640)	0.002	3,883	8
Pacific cod	A Season [1]: January 1–June 10	W	0.020	3,648	73
		C	0.044	9,251	407
	B Season [2]: September 1–December 31.	W	0.020	2,079	42
		C	0.044	5,196	229
	Annual	WYK	0.034	2,061	70
Pacific ocean perch	Annual	W	0.994	1,688	1,678
		WYK	0.961	1,993	1,915
Northern rockfish	Annual	W	1.000	1,346	1,346
Dusky rockfish	Annual	W	0.764	199	152
		WYK	0.896	204	183

Note: The 2026 GOA groundfish sideboard limits for Amendment 80 Program vessels are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 17, 2026.

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for trawl gear closes November 1.

The halibut PSC sideboard limits for Amendment 80 Program vessels in the GOA are based on the historic use of halibut PSC by Amendment 80 Program vessels in each PSC target category from 1998 through 2004. These values are slightly lower than the average historic use to accommodate two factors: allocation of halibut PSC cooperative quota under the Rockfish Program and the exemption of the F/V ''Golden Fleece'' from this restriction (§ 679.92(b)(2)). Table 26 lists the final halibut PSC sideboard limits for Amendment 80 Program vessels. These tables incorporate the maximum percentages of the halibut PSC sideboard limits that may be used by Amendment 80 Program vessels as contained in table 38 to 50 CFR part 679. Any residual amount of a seasonal Amendment 80 halibut PSC sideboard limit may carry forward to the next season limit (§ 679.92(b)(2)).

TABLE 26—FINAL 2025 AND 2026 HALIBUT PSC SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS IN THE GOA

[Values are rounded to nearest metric ton]

Season	Season dates	Target fishery	Historic Amendment 80 use of the annual halibut PSC limit catch (ratio)	2025 and 2026 annual halibut PSC limit (mt)	2025 and 2026 Amendment 80 vessel halibut PSC limit
1	January 20–April 1	shallow-water	0.0048	1,705	8
		deep-water	0.0115	1,705	20
2	April 1–July 1	shallow-water	0.0189	1,705	32
		deep-water	0.1072	1,705	183
3	July 1–August 1	shallow-water	0.0146	1,705	25
		deep-water	0.0521	1,705	89
4	August 1–October 1	shallow-water	0.0074	1,705	13
		deep-water	0.0014	1,705	2
5	October 1–December 31	shallow-water	0.0227	1,705	39
		deep-water	0.0371	1,705	63
Total:					474

Note: The halibut PSC sideboard limits for Amendment 80 Program vessels are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

Directed Fishing Closures

Pursuant to § 679.20(d)(1)(i), if the Regional Administrator determines: (1) that any allocation or apportionment of a target species or species group allocated or apportioned to a fishery will be reached; or (2) with respect to pollock and Pacific cod, that an allocation or apportionment to an inshore or offshore component or sector allocation will be reached, then the Regional Administrator may establish a directed fishing allowance (DFA) for that species or species group. If the Regional Administrator establishes a DFA and that allowance is or will be reached before the end of the fishing season or year, NMFS will prohibit directed fishing for that species or species group in the specified GOA subarea, regulatory area, or district (§ 679.20(d)(1)(iii)).

The Regional Administrator has determined that the TACs for the species and species groups listed in table 27 are necessary to account for the incidental catch of these species in other anticipated groundfish fisheries for the 2025 and 2026 fishing years.

TABLE 27—2025 AND 2026 DIRECTED FISHING CLOSURES IN THE GOA

[Amounts for incidental catch in other directed fisheries are in metric tons]

Target	Area/sector or program/gear	Incidental catch amount and year (if amounts differ by year)
Pollock [1]	All, ICA, offshore	not applicable.[1]
	Shumagin (610), A80 sideboard, trawl	112 (2025), 82 (2026).
	Chirikof (620), A80 sideboard, trawl	165 (2025), 121 (2026).
	Kodiak (630), A80 sideboard, trawl	103 (2025). 76 (2026).
	West Yakutat (640), A80 sideboard, trawl	11 (2025), 8 (2026).
Sablefish	All, trawl [2]	3,315 (2025).
		3,274 (2026).
Pacific cod	Western, CV, HAL	82 (2025), 78 (2026).
	Western, CP, trawl	141 (2025), 133 (2026).
	Western, AFA sideboard, trawl	55 (2025), 52 (2026).
	Central, CP, trawl [2]	626 (2025), 588 (2026).
Pacific ocean perch	Central, ICA, trawl [2]	3,500.
Northern rockfish	Central, ICA, trawl [2]	300.
Shortraker rockfish	All [2]	647.
Dusky rockfish	Central, ICA, trawl [2]	250.
Rougheye/blackspotted rockfish.	All [2]	1,180 (2025).
		1,203 (2026).
Thornyhead rockfish	All [2]	1,338.
Other rockfish	All	1,384.
Atka mackerel	All	3,000.
Big skate	All	2,835.
Longnose skate	All	2,536.
Other skates	All	665.
Sharks	All	4,891.
Octopuses	All	964.

Note: The directed fishing closures are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

[1] Pollock is closed to directed fishing in the GOA by the offshore component under § 679.20(a)(6)(i).

[2] Closures are not applicable to participants in Central GOA Rockfish Program cooperatives while such participants are checked-in to the Central GOA Rockfish Program (and therefore are fishing under the authority of a rockfish cooperative quota permit) because cooperatives are prohibited from exceeding their allocations (§ 679.7(n)(6)(viii)).

Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the DFA for the species or species groups listed in table 27 as zero mt. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing for those species and species groups, areas, gear types, and components in the GOA listed in table 27 effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 17, 2026.

Closures implemented under the 2024 and 2025 GOA harvest specifications for groundfish (89 FR 15484, March 4, 2024) remain effective under authority of these final 2025 and 2026 harvest specifications and until the date specified in those closure notifications. Closures are posted at the following website under the Alaska filter for Management Areas: *https://www.fisheries.noaa.gov/rules-and-announcements/bulletins.*

While these closures are in effect, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a fishing trip. These closures to directed fishing are in addition to closures and prohibitions found at 50 CFR part 679. NMFS may implement other closures during the 2025 and 2026 fishing years as necessary for effective conservation and management and consistent with the regulations at 50 CFR part 679.

Comments and Responses

NMFS received one comment letter with one unique comment during the public comment period for the proposed GOA harvest specifications (89 FR 94680, November 29, 2024). The one comment was from an individual. NMFS's response to the unique comment is addressed below. No changes were made in this rule in response to the comment.

Comment 1: Harvest limits should not be increased and should be reduced by 50 percent in the GOA.

Response: The Alaska Board of Fisheries determines the harvest limits for fisheries in State waters, defined as a Guideline Harvest Level (GHL), which for some stocks like pollock and Pacific cod is based on a proportion of the federally-set ABC. The GHL set by the BOF is outside the scope of this action. NMFS notes however that the BOF did not take action in December 2024 to increase the GHL for Pacific cod in the Prince William Sound Area. As explained earlier in this final rule, NMFS continues to set TACs for pollock and Pacific cod after accounting for the GHLs in State waters to ensure that the sum of all pollock and Pacific cod caught in State waters and Federal waters from the GOA does not exceed the ABCs.

To the extent that this comment letter is requesting that NMFS reduce the federally-set harvest limits (*i.e.,* TACs) for fisheries in federal waters, NMFS declines to do so. In accordance with National Standard 1 (§ 600.310) and regulations the SSC recommends for each species and species group an OFL and an ABC. OFL and ABC are calculated by prescribed methods set forth in the FMP that use a series of six tiers to define OFL and ABC amounts based on the level of reliable information available. Tier 1 represents the highest level of information quality available, while Tier 6 represents the lowest. The methods for calculating OFL and ABC (including the ABC control rule) become more precautionary depending on the tier and stock status. The specification of ABC is further informed by stock-assessment-specific risk tables that are applied by evaluating four types of considerations (*i.e.,* assessment-related, population dynamics, environmental/ecosystem, and fishery performance) that could support a scientific recommendation to reduce the ABC.

The specification of OFLs and ABCs informs the specification of TACs as TACs must be set equal to or less than ABCs, and ABCs must be set equal to or less than OFLs (§ 600.310(f)(3)-(4), (g)(4)). This ensures that the TACs for each species and species group do not exceed the scientific recommendations for ABCs and OFLs. As a result, TACs are constrained by the biological reference point recommended by the SSC (*i.e.,* the ABCs). NMFS specifies TACs after the Council makes its recommendations.

Ultimately, the annual process for specifying TACs for groundfish in the GOA is a robust and scientifically-driven process informed by the best available information on the status of the species and the marine ecosystems off Alaska, as well as socioeconomic and harvest data. The process involves significant scientific input and includes consideration of current environmental and ecosystem factors (*e.g.,* climate) and other marine resources (*e.g.,* salmon and halibut). Scientists from the Alaska Fisheries Science Center prepare the assessment using sophisticated statistical analyses of fish populations and draft the written assessment for a species or species group. The assessments are informed by the most recent survey and harvest data available. The stock assessment then undergoes rigorous review by the scientists and resource managers on the Plan Team and SSC.

During this annual TAC setting process, the Plan Team, SSC, AP, and Council review several sources comprising the best scientific information available including the stock assessments, ESRs, groundfish economic status reports, and Ecosystem and Socioeconomic Profiles (ESPs) (collectively referred to as the SAFE reports); the Plan Team reports; and other information as reference in their OFL, ABC, and TAC recommendations to NMFS. NMFS reviews the same information for its annual decision to implement the OFLs, ABCs, and TACs for GOA groundfish. The use of the most recent, best available information in the SAFE reports allows the Council and NMFS to respond to changes in stock condition and environmental, ecosystem, and socioeconomic factors in the GOA and to adjust the harvest specifications as appropriate, which is consistent with National Standard 2 of the Magnuson-Stevens Act to use the best scientific information available (16 U.S.C. 1851(a)(2); 50 CFR 600.315).

NMFS has determined that the TACs are based on the best scientific information available, are consistent with the biological condition of groundfish stocks as described in the 2024 SAFE report, and none of the final TACs exceed the final ABCs consistent with National Standard 1. NMFS therefore declines to reduce TACs as requested by the commenter.

Classification

NMFS is issuing this final rule pursuant to section 305(d) of the Magnuson-Stevens Act. Through previous actions, the FMP and regulations are designed to authorize NMFS to take this action pursuant to section 305(d) (see 50 CFR part 679). The NMFS Assistant Administrator has determined that the final harvest specifications are consistent with the FMP and with the Magnuson-Stevens Act and other applicable laws.

This final rule is exempt from review under Executive Order 12866 because it only implements annual catch limits in the GOA.

Executive Order 13175

To provide for meaningful and timely consultation and engagement in the development of this final rule, NMFS invited Alaska Native tribal governments and Alaska Native corporations to participate in consultation and/or engagement with NMFS prior to the Council's December 2024 meeting. NMFS held a tribal engagement session that included NMFS staff providing briefings on the annual specifications process. NMFS

staff also met informally with an inter-tribal agency to explain the annual specifications process. No formal consultations were requested or held on the GOA harvest specifications.

A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2) of E.O. 13175 was not required for this final rule because this action does not impose substantial direct compliance costs on Alaska Native Tribal Governments and this action does not preempt Tribal law.

National Environmental Policy Act

NMFS prepared a Final EIS for the Alaska groundfish harvest specifications and alternative harvest strategies (see **ADDRESSES**) and made it available to the public on January 12, 2007 (72 FR 1512). On February 13, 2007, NMFS issued the ROD for the Final EIS identifying the selected alternative (Alternative 2). NMFS prepared a SIR for this action to address the need to prepare a Supplemental EIS (SEIS) (40 CFR 1502.9(d)(1)). Copies of the Final EIS, ROD, and annual SIRs for this action are available from NMFS (see **ADDRESSES**). The Final EIS analyzes the environmental, social, and economic consequences of alternative harvest strategies on resources in the action area. Based on the analysis in the Final EIS, NMFS concluded that the preferred Alternative (Alternative 2) provides the best balance among relevant environmental, social, and economic considerations and allows for continued management of the groundfish fisheries based on the most recent, best scientific information. The preferred alternative is a harvest strategy in which TACs are set at a level within the range of ABCs recommended through the Council harvest specifications process by the Council's SSC. The sum of the TACs also must achieve the OY specified in the FMP and regulations. While the specific numbers that the harvest strategy produces may vary from year to year, the methodology used for the preferred harvest strategy remains constant.

The latest annual SIR evaluated whether NMFS should prepare a SEIS for the 2025 and 2026 groundfish harvest specifications. A SEIS should be prepared if a major federal action is incomplete or ongoing and: (1) the agency makes substantial changes to the proposed action that are relevant to environmental concerns; or (2) there are substantial new circumstances or information about the significance of adverse effects that bear on the analysis (40 CFR 1502.9(d)(1)). After reviewing the most recent, best available information, including the information contained in the SIR and SAFE report, the Regional Administrator has determined that (1) the 2025 and 2026 harvest specifications, which were set according to the preferred harvest strategy, do not constitute a substantial change in the action; and (2) the information presented does not indicate that there are substantial new circumstances or information about the significance of adverse effects that bear on the analysis in the Final EIS. Any new information and circumstances do not present a seriously different picture of the likely environmental harms of the action (*i.e.,* the implementation of these harvest specifications) to occur beyond what was considered in the Final EIS. The 2025 and 2026 harvest specifications will result in environmental, social, and economic impacts within the scope of those analyzed and disclosed in the Final EIS. Therefore, a SEIS is not necessary to implement the 2025 and 2026 harvest specifications.

Final Regulatory Flexibility Analysis

Section 604 of the Regulatory Flexibility Act (RFA, 5 U.S.C. 601 *et seq.*) requires that, when an agency promulgates a final rule under 5 U.S.C. 553, after being required by that section or any other law to publish a general notice of proposed rulemaking, the agency shall prepare a final regulatory flexibility analysis (FRFA). The following constitutes the FRFA prepared for these final 2025 and 2026 harvest specifications.

Section 604 of the RFA describes the required contents of a FRFA: (1) a statement of the need for, and objectives of, the rule; (2) a statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis (IRFA), a statement of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments; (3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments; (4) a description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available; (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and (6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency that affect the impact on small entities was rejected.

A description of this action, its purpose, and its legal basis are contained at the beginning of the preamble to this final rule and are not repeated here.

NMFS published the proposed rule for 2025 and 2026 harvest specifications, apportionments, and Pacific halibut PSC for groundfish fisheries of the GOA on November 29, 2024 (89 FR 94680). NMFS prepared an IRFA to accompany the proposed action and included the IRFA in the proposed rule. The comment period closed on December 30, 2024. No comments were received on the IRFA or on the economic impacts of the rule more generally. The Chief Counsel for Advocacy of the Small Business Administration did not file any comments on the proposed rule.

The entities directly regulated by this action are: (1) entities operating vessels with groundfish Federal fishing permits (FFPs) harvesting GOA FMP groundfish in Federal waters; (2) all entities operating vessels, regardless of whether they hold groundfish FFPs, harvesting GOA FMP groundfish in the State waters parallel fisheries; and (3) all entities operating vessels fishing for halibut that have incidental catch of GOA FMP groundfish (whether or not they have FFPs).

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see § 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System code (NAICS) 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of $11 million for all its affiliated operations worldwide.

Using the most recent data available (2023), the estimated number of directly regulated small entities includes approximately 682 individual CV and CP entities with gross revenues meeting the small entity criteria. This includes

an estimated 680 small CV entities and 3 small CP entities in the GOA groundfish sector. The determination of entity size is based on vessel revenues and affiliated group revenues. This determination also includes an assessment of fisheries cooperative affiliations, although actual vessel ownership affiliations have not been completely established. However, the estimate of these 682 CVs and CPs may be an overstatement of the number of small entities because of the complexity of analyzing the links and affiliations across these vessels, particularly since many of them conduct operations in both Federal and State fisheries. The CVs had average gross revenues that varied by gear type. Average gross revenues for hook-and-line CVs, pot gear CVs, and trawl gear CVs are estimated to be $910,000, $1,530,000, and $2,280,000, respectively. Average gross revenues for hook-and-line CPs and pot gear CPs are confidential.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

This action implements the final 2025 and 2026 harvest specifications, apportionments, and halibut PSC limits for the groundfish fishery of the GOA. This action is necessary to establish harvest limits for groundfish during the 2025 and 2026 fishing years and is taken in accordance with the FMP prepared and recommended by the Council pursuant to the Magnuson-Stevens Act. The establishment of the final harvest specifications is governed by the Council and NMFS's harvest strategy for the catch of groundfish in the GOA. The harvest strategy was selected previously from among five alternatives as described in the Final EIS, with the preferred alternative harvest strategy being one in which the TACs fall within the range of ABCs recommended through the Council harvest specifications process by the SSC. Under this preferred alternative harvest strategy, TACs are recommended to NMFS by the Council, utilizing recommendations from the AP, and are within the range of ABCs recommended by the SSC. The sum of the TACs must achieve the OY specified in the FMP. While the specific TAC numbers that the harvest strategy produces may vary from year to year, the methodology used for the preferred harvest strategy remains constant. This final action implements the preferred alternative harvest strategy previously chosen by the Council and NMFS to set TACs that fall within the range of ABCs recommended through the Council harvest specifications process and as recommended by the Council, after considerations from the Council's AP. This TAC determination method is consistent with previous years.

The final 2025 and 2026 TACs associated with preferred harvest strategy are those recommended by the Council in December 2024. OFLs and ABCs for the species were based on recommendations prepared by the Plan Team and were reviewed and recommended by the SSC. The Council based its TAC recommendations on those of its AP, and those recommendations are consistent with the SSC's OFL and ABC recommendations. The sum of all TACs remains within the OY for the GOA consistent with § 679.20(a)(1)(i)(B).

The final 2025 and 2026 OFLs and ABCs are based on the best available biological information, including projected biomass trends, information on assumed distribution of stock biomass, and revised technical methods to calculate stock biomass. The final 2025 and 2026 TACs are based on the best available biological and socioeconomic information. The final 2025 and 2026 OFLs, ABCs, and TACs are consistent with the biological condition of groundfish stocks as described in the 2024 SAFE report, which is the most recent, completed SAFE report, as well as the ecosystem and socioeconomic information presented in the 2024 SAFE report (including the GOA ESR). Accounting for the most recent information to set the final OFLs, ABCs, and TACs is consistent with the objectives for this action, as well as National Standard 2 of the Magnuson-Stevens Act (16 U.S.C. 1851(a)(2); 50 CFR 600.315) that actions shall be based on the best scientific information available. The SAFE report also includes information on the economic condition of the groundfish fisheries off Alaska through the Economic Status Report. Data are available through 2023.

Under this action, the final ABCs reflect harvest amounts that are less than the specified OFLs. The final TACs are within the range of final ABCs recommended by the SSC and do not exceed the biological limits recommended by the SSC (the ABCs and OFLs). Specifying TACs that do not exceed ABCs and ABCs that do not exceed OFLs is consistent with the objectives for this action, the FMP, and National Standard 1 of the Magnuson-Stevens Act (16 U.S.C. 1851(a)(1)) and implementing regulations (§ 600.310). For most species and species groups in the GOA, the Council recommended, and NMFS sets, final TACs equal to final ABCs, which is intended to maximize harvest opportunities in the GOA, unless other conservation or management reasons support setting TAC amounts less than the ABCs.

For the following species and species groups, the Council recommended, and NMFS sets, TACs that are less than the ABCs for pollock, Pacific cod, shallow-water flatfish in the Western GOA, arrowtooth flounder in the Western GOA, flathead sole in the Western GOA, other rockfish in the SEO District, Atka mackerel, and octopus. These specific reductions were reviewed and recommended by the Council's AP, and the Council in turn adopted the AP's recommendations for the final 2025 and 2026 TACs.

Increasing TACs for some species may not result in increased harvest opportunities for those species. This is due to a variety of reasons. There may be a lack of commercial or market interest in some species. Additionally, there are fixed, and therefore constraining, PSC limits associated with the harvest of the GOA groundfish species that can lead to an underharvest of flatfish TACs. For this reason, the shallow-water flatfish, arrowtooth flounder, and flathead sole TACs in the Western GOA are set to allow for harvest opportunities for these target species while conserving the halibut PSC limit for use in other fisheries, including other groundfish fisheries or the halibut IFQ directed fishery. The other rockfish TAC in the SEO District is set to support incidental catch in other fisheries, and the Atka mackerel TAC is also set to accommodate incidental catch in other fisheries. Finally, the TACs for three species (*i.e.,* pollock, Pacific cod, and octopus) cannot be set equal to ABC, as the TAC must be reduced to account for the State's GHLs or maximum of the GHR in these fisheries. The combined W/C/WYK pollock TAC, the GOA Pacific cod TACs, and the GOA-wide octopus TAC are therefore set to account for the State's GHLs for the State waters pollock and Pacific cod fisheries and the State's maximum GHR for the State waters octopus fishery so that the ABCs are not exceeded.

Based upon the best available scientific data, and in consideration of NMFS's objectives of this action, there are no significant alternatives to the final rule that have the potential to accomplish the stated objectives of the Magnuson-Stevens Act and any other applicable statutes and that have the potential to minimize any significant adverse economic impact of the final rule on small entities. This action is economically beneficial to entities operating in the GOA, including small

entities. The action specifies TACs for commercially valuable species in the GOA and allows for the continued prosecution of the fishery, thereby creating the opportunity for fishery revenue. After public process, during which the Council and NMFS solicited input from stakeholders, the Council concluded and NMFS likewise determines that these final harvest specifications would best accomplish the stated objectives articulated in the preamble for this final rule and in applicable statutes and would minimize to the extent practicable adverse economic impacts on the universe of directly regulated small entities.

Administrative Procedure Act

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive the 30-day delay in the date of effectiveness for this rule because delaying this rule is contrary to the public interest. The Plan Team review of the 2024 SAFE report occurred in November 2024, and based on the 2024 SAFE report, the Council considered and recommended the final harvest specifications in December 2024. Accordingly, NMFS's review of the final 2025 and 2026 harvest specifications could not begin until after the December 2024 Council meeting and after the public had time to comment on the proposed action.

For all fisheries not currently closed because the TACs established under the final 2024 and 2025 harvest specifications (89 FR 15484, March 4, 2024) have not yet been reached, it is possible that they would be closed prior to the expiration of a 30-day delayed effectiveness period, because those fisheries have nearly reached those previously set TACs. Some affected fisheries therefore could close soon, as they are already close to reaching their TACs, and such closures would cause unnecessary economic harm to the fisheries in the cases where this final rule increases the groundfish TACs. If implemented immediately, this final rule would allow these fisheries to continue fishing, because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing.

Because this rule would allow fisheries with a lower TAC under the final 2024 and 2025 harvest specifications (89 FR 15484, March 4, 2024) to harvest up to the higher TAC published in these final 2025 and 2026 harvest specifications, it relieves a restriction for those fisheries. As result, this rule not subject to the 30-day delayed effectiveness provision of the APA pursuant to 5 U.S.C. 553(d)(1). For those fisheries not currently closed because the TACs established under the final 2024 and 2025 harvest specifications have not yet been reached, it is possible that their TACs could be reached within that 30-day period and NMFS would have to close those fisheries prior to the expiration of a 30-day delayed effectiveness period. If those fisheries closed, they would experience a restriction in fishing. If this rule is implemented immediately, this rule would relieve the potential for those fisheries to be restricted and would allow these fisheries to continue fishing because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing.

In addition, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best available scientific information. This is particularly pertinent for those species that have lower 2025 ABCs and TACs than those established in the final 2024 and 2025 harvest specifications (89 FR 15484, March 4, 2024). If implemented immediately, this rule would ensure that NMFS can properly manage those fisheries for which this rule sets lower 2025 ABCs and TACs, which are based on the most recent biological information on the condition of stocks. The changes between the proposed 2025 ABCs and TACs are discussed earlier in the *Changes from the Proposed 2025 and 2026 Harvest Specifications in the GOA* section of this rule.

Certain fisheries, such as those for pollock, are intensive, fast-paced fisheries. Other fisheries, such as those for sablefish, flatfish, rockfish, Atka mackerel, skates, sharks, and octopuses, are critical either as directed fisheries or as incidental catch in other fisheries. Thus, for those species that have higher 2025 TACs than under the final 2024 and 2025 harvest specifications (89 FR 15484, March 4, 2024) than the TACs established by this final rule, there is some risk of exceeding these TAC limits. U.S. fishing vessels have demonstrated the capacity to catch the TAC allocations in many of these fisheries. If the date of effectiveness of this rule were to be delayed 30 days and a TAC was reached during those 30 days, NMFS would be required to close directed fishing or prohibit retention for the applicable species. Such closures and unnecessary discards would cause confusion to the industry and potential economic harm to fishermen, undermining the intent of this rule. Waiving the 30-day delay in the date of effectiveness allows NMFS to prevent this potential economic harm that could occur, should the previously set 2025 TACs (as set under the final 2024 and 2025 harvest specifications) be reached during such a delay. In addition, determining which fisheries may close in advance is nearly impossible because these fisheries are affected by several factors, including fishing effort, weather, movement of fishery stocks, and market price, which cannot be predicted. Furthermore, the closure of one fishery has a cascading effect on other fisheries; the closure would free up fishing vessels, allowing them to move from closed fisheries to open fisheries, thereby increasing the fishing capacity in those open fisheries, and potentially causing them to close sooner.

In fisheries subject to declining sideboard limits, a failure to implement the updated sideboard limits before the initial season's end could deny the intended economic protection to the sectors that do not have sideboards. Conversely, in fisheries with increasing sideboard limits, economic benefit could be denied to the sideboard-limited sectors.

If the final harvest specifications are not effective by March 20, 2025, which is the start of the 2025 Pacific halibut season as specified by the IPHC, the fixed gear sablefish fishery will not begin concurrently with the Pacific halibut IFQ season. This would result in confusion for the industry and economic harm from unnecessary discard of sablefish that are caught along with Pacific halibut, as both fixed gear sablefish and Pacific halibut are managed under the same IFQ program. Immediate effectiveness of these final 2025 and 2026 harvest specifications will allow the sablefish IFQ fishery to begin concurrently with the Pacific halibut IFQ season.

Finally, immediate effectiveness also provides the fishing industry with the earliest possible opportunity to plan and conduct its fishing operations with respect to new information about TACs. Therefore, in accordance with 5 U.S.C. 553(d)(3), NMFS finds good cause to waive the 30-day delay in the date of effectiveness for this rule.

A formal section 7 consultation under the Endangered Species Act was initiated for the GOA groundfish fisheries. In a biological opinion and conference opinion dated December 23, 2024, the Regional Administrator determined that the GOA groundfish fisheries are not likely to jeopardize the continued existence of any endangered or threatened species or species proposed for listing.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule and shall designate such publications as ''small entity compliance guides.'' The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules.

The tables contained in this final rule are provided online and serve as the plain language guide to assist small entities in complying with this final rule as required by the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule's primary purpose is to announce the final 2025 and 2026 harvest specifications and prohibited species bycatch allowances for the groundfish fisheries of the GOA. This action is necessary to establish harvest limits and associated management measures for groundfish during the 2025 and 2026 fishing years and to accomplish the goals and objectives of the FMP. It is taken in accordance with the FMP, the Magnuson-Stevens Act, and regulations at 50 CFR parts 600, 679, and 680. This action affects all fishermen who participate in the GOA fisheries. The specific OFL, ABC, TAC, and PSC amounts are provided in tables in this final rule to assist the reader. Affected fishery participants are advised to review this final rule, including its tables, which also contains plain language summaries of the underlying relevant regulations supporting the harvest specifications and the harvest of groundfish in the GOA that the reader may find helpful.

Information to assist small entities in complying with this final rule is provided online. The OFL, ABC, TAC, and PSC tables are individually available online at: *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/alaska-groundfish-harvest-specifications.* Explanatory information on the relevant regulations supporting the harvest specifications is also found in footnotes to the tables. Harvest specification changes are also available from the same online source, which includes applicable **Federal Register** notices, information bulletins, and other supporting materials. NMFS will announce closures of directed fishing in the **Federal Register** and information bulletins released by the Alaska Region. Affected fishery participants should keep themselves informed of such closures. Copies of the tables and/or this final rule are also available upon request.

Authority: 16 U.S.C. 773 *et seq.;* 16 U.S.C. 1540 (f), 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 3631 *et seq.;* Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

Dated: March 12, 2025.

Samuel D. Rauch III,

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

[FR Doc. 2025–04371 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0036 and 250312–0037]

RTID 0648–XE771

Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program

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

ACTION: Temporary rule; opening.

SUMMARY: NMFS is opening directed fishing for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) Program and the Community Development Quota (CDQ) Program. The season will open 1200 hours, Alaska local time (A.l.t.), March 20, 2025, and will close 1200 hours, A.l.t., December 7, 2025. This period is the same as the 2025 commercial halibut fishery opening dates adopted by the International Pacific Halibut Commission (IPHC), except the hours are not the same. The IFQ and CDQ halibut season dates are the same as specified by a separate publication in the **Federal Register** of annual management measures, which should be referenced for the halibut specific open and closure times.

DATES: Effective 1200 hours, A.l.t., March 20, 2025, until 1200 hours, A.l.t., December 7, 2025.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

SUPPLEMENTARY INFORMATION: Beginning in 1995, fishing for Pacific halibut and sablefish with fixed gear in the IFQ regulatory areas defined in 50 CFR 679.2 has been managed under the IFQ Program. The IFQ Program is a regulatory regime designed to promote the conservation and management of these fisheries and to further the objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act. Persons holding quota share receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, are contained in the preamble to the final rule implementing the IFQ Program published in the **Federal Register**, November 9, 1993 (58 FR 59375) and subsequent amendments.

Directed fishing for sablefish using fixed gear in any IFQ regulatory area is authorized only during the period specified by the Regional Administrator, who must take into account the opening date of the halibut season when determining the opening date for sablefish for the purposes of reducing bycatch and regulatory discards between the two fisheries (50 CFR 679.23(g)(1)). This announcement is consistent with and required by § 679.23(g)(1), which requires that the directed fishing season for sablefish managed under the IFQ Program be specified by the Administrator, Alaska Region, and announced by publication in the **Federal Register**. This method of season announcement was selected to facilitate coordination between the sablefish season, chosen by the Administrator, Alaska Region, and the halibut season, adopted by the IPHC. The directed fishing season for sablefish with fixed gear managed under the IFQ Program will open 1200 hours, A.l.t., March 20, 2025, and will close 1200 hours, A.l.t., December 7, 2025. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC, except the hours are not the same. The IFQ and CDQ halibut season will be specified by a separate publication in the **Federal Register** of annual management measures pursuant to 50 CFR 300.62.

There is a difference in the time of day for opening and closing the halibut IFQ and CDQ commercial fishery and the Alaska IFQ and CDQ sablefish commercial fishery. IPHC regulations open the halibut IFQ and CDQ fishery at 0600 hours, A.l.t., on March 20, 2025, and NMFS will open the Alaska IFQ and CDQ sablefish fishery at 1200 hours, A.l.t., on March 20, 2025, pursuant to regulations that require that the time of all openings and closures of fishing seasons, other than the beginning and end of the calendar

fishing year, is 1200 hours, A.l.t. (50 CFR 679.23(b)). Therefore, if gear is deployed to fish for halibut in the commercial fishery off Alaska before 1200 hours, A.l.t., on March 20, 2025, then IFQ or CDQ sablefish caught from that deployment may not be retained. If a vessel operator holds both halibut and sablefish IFQ or CDQ, and the operator intends to retain sablefish on March 20, then the vessel should deploy its commercial fishing gear after 1200 hours, A.l.t.

IPHC regulations close the halibut IFQ and CDQ fishery at 2359 hours, A.l.t., on December 7, 2025, and NMFS will close the Alaska IFQ and CDQ sablefish fishery at 1200 hours, A.l.t., on December 7, 2025 (50 CFR 679.23(b)). Therefore, if gear is deployed to fish for halibut in the commercial fishery off Alaska after 1200 hours, A.l.t., on December 7, 2025, then IFQ and CDQ sablefish caught from that deployment may only be retained up to the Maximum Retainable Amount (MRA). If a vessel operator holds both halibut and sablefish IFQ or CDQ, and the operator intends to retain sablefish on December 7, 2025, after 1200 hours, A.l.t., then the vessel may only retain IFQ or CDQ sablefish in accordance with the MRA regulations at § 679.20(e).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, 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, as it would delay the opening of the sablefish fishery thereby preventing holders of sablefish IFQ and CDQ from participating in the Alaska IFQ and CDQ sablefish fishery, increasing bycatch and regulatory discards between the sablefish fishery and the halibut fishery, and preventing the accomplishment of the management objective for simultaneous opening of these two fisheries. NMFS was unable to publish a notice providing time for public comment because the relevant information for opening the Alaska IFQ and CDQ sablefish fishery only became available as of March 12, 2025. In addition, NMFS developed this action to open the Alaska IFQ and CDQ sablefish fishery concurrently with the halibut IFQ and CDQ fishery as quickly as possible given the other rulemakings necessary to provide notice of the harvest limits, allocations, and halibut season dates for the fisheries.

The Assistant Administrator for Fisheries, NOAA 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.

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

Dated: March 13, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04444 Filed 3–14–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 51
Tuesday, March 18, 2025

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0344; Project Identifier MCAI–2024–00638–T]

RIN 2120–AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2022–25–51, which applies to all Airbus Canada Limited Partnership Model BD–500–1A10 and Model BD–500–1A11 airplanes. AD 2022–25–51 requires revising the Limitations section of the existing airplane flight manual (AFM) to include a new warning and a new limitation. Since the FAA issued AD 2022–25–51, updated primary flight control computer (PFCC) software has been developed to address the unsafe condition. This proposed AD would continue to require the actions in AD 2022–25–51, require installing the updated PFCC software, which terminates the AFM revision, and remove airplanes from the applicability, as specified in a Transport Canada AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by May 2, 2025.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0344; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca;* website at *tc.canada.ca/en/aviation.* It is also available at *regulations.gov* under Docket No. FAA–2025–0344.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Rochelle Montgomery, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 405–798–2043; email *rochelle.montgomery@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–0344; Project Identifier MCAI–2024–00638–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Rochelle Montgomery, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 405–798–2043; email *rochelle.montgomery@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2022–25–51, Amendment 39–22282 (87 FR 75911, December 12, 2022) (AD 2022–25–51), for all Airbus Canada Limited Partnership Model BD–500–1A10 and Model BD–500–1A11 airplanes. AD 2022–25–51 was prompted by an MCAI originated by Transport Canada, which is the aviation authority for Canada. Transport Canada issued Transport Canada Emergency AD CF–2022–64, dated November 17, 2022 (Transport Canada Emergency AD CF–2022–64), to correct an unsafe condition.

AD 2022–25–51 requires revising the Limitations section of the existing AFM by revising the title of the existing autopilot AFM limitation, including a new warning prior to the existing

autopilot engagement limitations, and a new limitation prohibiting selecting or reselecting autothrottle during takeoff after thrust levers are advanced to the takeoff setting after the existing autopilot engagement limitations. The FAA issued AD 2022–25–51 to address inadvertent engagement of the autopilot below 400 feet above ground level (AGL) when the flightcrew attempts to engage autothrottle. The unsafe condition, if not addressed, could result in premature rotation due to inadvertent autopilot engagement, possibly leading to tail-strike, inability to climb, and loss of control of the airplane.

Actions Since AD 2022–25–51 Was Issued

The preamble to AD 2022–25–51 explained that the FAA considered the requirements ''interim action'' and was considering further rulemaking. The FAA has now determined that further rulemaking is indeed necessary, and this proposed AD follows from that determination.

Since the FAA issued AD 2022–25–51, Transport Canada superseded Transport Canada Emergency AD CF–2022–64, dated November 17, 2022, and issued Transport Canada AD CF–2024–36, dated October 22, 2024 (Transport Canada AD CF–2024–36) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus Canada Limited Partnership Model BD–500–1A10 and Model BD–500–1A11 airplanes. The MCAI states that there have been multiple in-service reports associated with PFCC software deficiencies leading to nuisance messages on the engine-indicating and crew-alerting system (EICAS) such as rudder fail, aileron fail, and spoiler fail, and flight control fault due to erroneous transmissions from the remote electronic unit (REU). Investigations also indicated design deficiencies in the PFCC software such as an incorrectly implemented built-in test, which is unable to detect a failed REU internal hold-up capacitor, or non-implemented self-tests and monitoring mechanisms to prevent erroneous computations to be transmitted to consumers. Other in-service events indicated a lack of software robustness, which may not prevent an un-annunciated deployment of ground spoilers or an inadvertent autopilot engagement during the take-off roll. These deficiencies and lack of PFCC software robustness, if not corrected, could lead to increased flightcrew workload as well as a large reduction of safety margins. Additionally, during specific flight phases or in combination with other failures, these conditions could lead to loss of control of the airplane.

The updated software installation required by this proposed AD addresses the unsafe condition identified in AD 2022–25–51 and terminates the AFM revision required by that AD.

The FAA is proposing this AD to address the unsafe condition on these products. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0344.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF–2024–36 specifies procedures for revising the Limitations section of the existing AFM to include a new warning, installation of updated PFCC software part number 810–0337–009 on three the PFCCs, which terminates the AFM revision, and applicable concurrent software updates. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would retain all requirements of AD 2022–25–51. This proposed AD would remove airplanes from the applicability because the software installation, which terminates the AFM revision, was done in production on Model BD–500–1A10 airplanes having serial numbers (S/Ns) 50079 and subsequent and on Model BD–500–1A11 airplanes having S/Ns 55298 and subsequent; therefore, the unsafe condition has been addressed on those airplanes. This proposed AD would require accomplishing the actions specified in Transport Canada AD CF–2024–36 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD and except as discussed under ''Differences Between This NPRM and the MCAI.'' The installation of updated PFCC software would terminate the AFM revision required by paragraph (g) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF–2024–36 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Part II of Transport Canada AD CF–2024–36 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF–2024–36 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0344 after the FAA final rule is published.

Differences Between This NPRM and the MCAI

Transport Canada AD CF–2024–36 refers to the Accomplishment Instructions of Airbus Canada Limited Partnership (ACLP) Service Bulletin BD500–270022, Issue 001, dated July 25, 2024, for accomplishing the software installation. The ''Concurrent Requirements'' paragraph of ACLP Service Bulletin BD500–270022, Issue 001, dated July 25, 2024, refers to ''ACLP Service Bulletin BD500–270020'' as an additional requirement for certain airplanes; however, ''ACLP Service Bulletin BD500–270020'' is not included in the Accomplishment Instructions of ACLP Service Bulletin BD500–270022, Issue 001, dated July 25, 2024.

The FAA has determined the concurrent service bulletin must be done to address the unsafe condition. The FAA has issued AD 2023–12–09, Amendment 39–22467 (88 FR 42606, July 3, 2023) (AD 2023–12–09), which mandates Transport Canada AD CF–2022–65, dated November 23, 2022, and refers to ACLP Service Bulletin BD500–270020, Issue 001, dated September 28, 2022 (or later revisions), for software installation.

The FAA has added paragraph (i)(3) of the proposed AD to mandate the concurrent requirement and clarify applicable compliance times.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 133

airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2022-25-51	1 work-hour × $85 per hour = $85	$0	$85	$11,305.
New proposed actions	Up to 5 work-hours × $85 per hour = $425	Up to $10,000	Up to $10,425	Up to $1,386,525.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive (AD) 2022–25–51, Amendment 39–22282 (87 FR 75911, December 12, 2022); and

■ b. Adding the following new AD:

Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Docket No. FAA–2025–0344; Project Identifier MCAI–2024–00638–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 2, 2025.

(b) Affected ADs

This AD replaces AD 2022–25–51, Amendment 39–22282 (87 FR 75911, December 12, 2022) (AD 2022–25–51).

(c) Applicability

This AD applies to Airbus Canada Limited Partnership (type certificate previously held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Model BD–500–1A10 and Model BD–500–1A11 airplanes, certificated in any category, as identified in Transport Canada AD CF–2024–36, dated October 22, 2024 (Transport Canada AD CF–2024–36).

(d) Subject

Air Transport Association (ATA) of America Code 22, Autoflight.

(e) Unsafe Condition

This AD was prompted by multiple in-service reports associated with primary flight control computer (PFCC) software deficiencies leading to nuisance messages on the engine-indicating and crew-alerting system (EICAS) due to erroneous transmissions from the remote electronic unit (REU). Investigations also indicated design deficiencies in the PFCC software and a lack of software robustness, which may not prevent an un-annunciated deployment of ground spoilers or an inadvertent autopilot engagement during the take-off roll. The FAA is issuing this AD to address the PFCC software deficiencies leading to nuisance messages and the lack of PFCC software robustness. The unsafe condition, if not addressed, could lead to increased flightcrew workload as well as a large reduction of safety margins. Additionally, during specific flight phases or in combination with other failures, these conditions could lead to loss of control of the airplane.

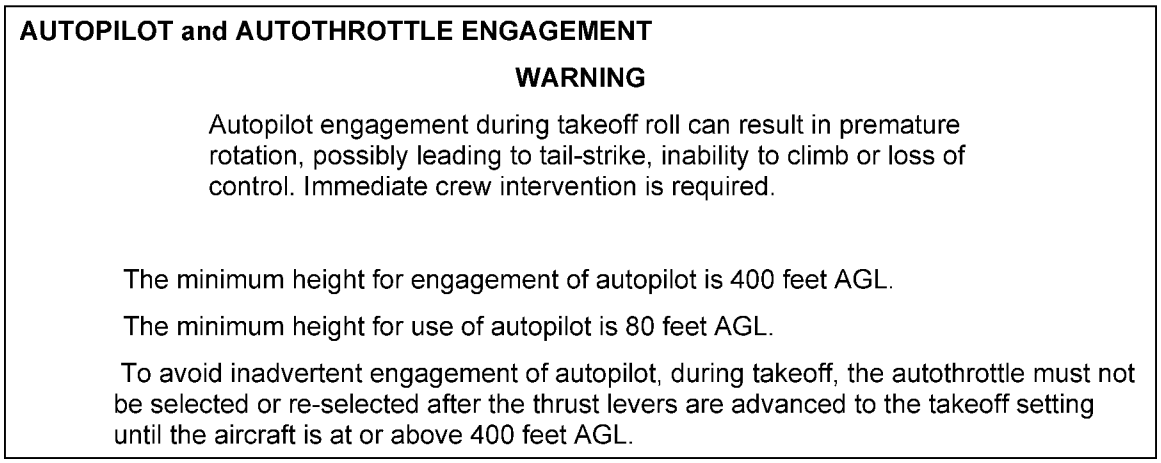
(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Retained Revision of Existing AFM, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2022–25–51, with no changes. Within 7 days after December 27, 2022 (the effective date of AD 2022–25–51), revise the Limitations section of the existing airplane flight manual (AFM) to include the information specified in figure 1 to paragraph (g) of this AD. This may be accomplished by inserting a copy of figure 1 to paragraph (g) of this AD into the existing AFM. Using an AFM revision that includes information identical to that in figure 1 to paragraph (g) of this AD is acceptable for compliance with the requirement of this paragraph.

Figure 1 to paragraph (g) - Autopilot and Autothrottle Engagement Limitation



(h) New Requirements of This AD

Except as specified in paragraph (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2024–36. Accomplishing the software installation required by paragraph A. of Part II of Transport Canada AD CF–2024–36 terminates the AFM revision required by paragraph (g) of this AD.

(i) Exceptions to Transport Canada AD CF–2024–36

(1) This AD does not adopt the requirements of Part I of Transport Canada AD CF–2024–36.

(2) Where Transport Canada AD CF–2024–36 refers to its effective date, this AD requires using the effective date of this AD.

(3) For the airplanes identified in the ''Concurrent requirements'' paragraph of the material referenced in Transport Canada AD CF–2024–36: At the applicable time specified in paragraph (i)(3)(i) or (ii), accomplish the concurrent PFCC software update specified in the material referenced in Transport Canada AD CF–2024–36.

(i) For airplanes identified in AD 2023–12–09 Amendment 39–22467 (88 FR 42606, July 3, 2023) (AD 2023–12–09): Prior to or concurrently with the installation specified in paragraph A. of Part II of Transport Canada AD CF–2024–36 but no later than the compliance time specified in AD 2023–12–09.

(ii) For airplanes not identified in AD 2023–12–09: Prior to or concurrently with the installation specified in paragraph A. of Part II of Transport Canada AD CF–2024–36.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: *AMOC@faa.gov.*

(i) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or Transport Canada; or Airbus Canada Limited Partnership's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(k) Additional Information

For more information about this AD, contact Rochelle Montgomery, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 405–798–2043; email *rochelle.montgomery@faa.gov.*

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Transport Canada AD CF–2024–36, dated October 22, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca;* website *tc.canada.ca/en/aviation.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

Issued on March 7, 2025.

Victor Wicklund,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–03941 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0343; Project Identifier MCAI–2024–00562–T]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2020–03–14, which applies to all Airbus SAS Model A350–941 and –1041 airplanes. AD 2020–03–14 requires an inspection of affected crew oxygen cylinder assemblies for any discrepancy and replacement of discrepant crew oxygen cylinder assemblies with serviceable parts, and allows installation of affected parts under certain conditions. Since the FAA issued AD 2020–03–14, the supplier introduced an improved oxygen cylinder assembly, that will ensure the correct function of the system. This

proposed AD would continue to require the actions in AD 2020–03–14 and would require replacement of all affected parts with redesigned parts and would also prohibit the installation of affected parts, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by May 2, 2025.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0343; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2025–0343.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email *dan.rodina@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–0343; Project Identifier MCAI–2024–00562–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email *dan.rodina@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2020–03–14, Amendment 39–19839 (85 FR 11282, February 27, 2020) (AD 2020–03–14), for all Airbus SAS Model A350–941 and –1041 airplanes. AD 2020–03–14 was prompted by an MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2019–0168, dated July 16, 2019 (EASA AD 2019–0168), to correct an unsafe condition.

AD 2020–03–14 requires an inspection of affected crew oxygen cylinder assemblies for any discrepancy and replacement of discrepant crew oxygen cylinder assemblies with serviceable parts, and AD 2020–03–14 allows installation of affected parts under certain conditions. The FAA issued AD 2020–03–14 to address loss of retention of the regulator inlet filter retainer on certain crew oxygen cylinder assemblies. This condition could lead to particle ingestion into the regulator during ground handling, possibly resulting in ignition/fire during system ground operational testing.

Actions Since AD 2020–03–14 Was Issued

Since the FAA issued AD 2020–03–14, EASA superseded EASA AD 2019–0168 and issued EASA AD 2024–0186, dated September 24, 2024 (EASA AD 2024–0186) (also referred to as the MCAI), to correct an unsafe condition for all Airbus SAS Model A350–941 and –1041 airplanes. The MCAI states that the supplier introduced an improved oxygen cylinder assembly having part number (P/N) 4441227–058–002, to ensure the correct function of the system.

The FAA is proposing this AD to address the unsafe condition on these products. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0343.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2020–03–14, this proposed AD would retain all of the requirements of AD 2020–03–14. Those requirements are referenced in EASA AD 2024–0186, which, in turn, is referenced in paragraph (g) of this proposed AD.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2024–0186 specifies procedures for an inspection of each crew oxygen cylinder assembly for any discrepancy (a loose part making a sound during agitation of the cylinder), replacement of any affected crew oxygen cylinder with a serviceable part, and eventual replacement of each affected part with a redesigned part. EASA AD 2024–0186 also prohibits the installation of affected parts. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country and is approved for operation in

the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2024–0186 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2024–0186 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024–0186 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0186 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2024–0186. Material required by EASA AD 2024–0186 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0343 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 33 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2020-03-14	1 work-hour × $85 per hour = $85	$0	$85	$2,805.
New proposed actions	Up to 15 work-hours × $85 per hour = $1,275.	12,800	Up to $14,075	Up to $464,475.

The FAA estimates the following costs to do any necessary on-condition replacements that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
10 work-hours × $85 per hour = $850	$6,940	$7,790

According to the manufacturer, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in the cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive (AD) 2020–03–14, Amendment 39–19839 (85 FR 11282, February 27, 2020) and

■ b. Adding the following new AD:

Airbus SAS: Docket No. FAA–2025–0343; Project Identifier MCAI–2024–00562–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 2, 2025.

(b) Affected ADs

This AD replaces AD 2020–03–14, Amendment 39–19839 (85 FR 11282, February 27, 2020) (AD 2020–03–14).

(c) Applicability

This AD applies to all Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Unsafe Condition

This AD was prompted by loss of retention of the regulator inlet filter retainer on certain crew oxygen cylinder assemblies. The FAA is issuing this AD to address loss of retention of the regulator inlet filter retainer on certain crew oxygen cylinder assemblies. The unsafe condition, if not addressed, could result in particle ingestion into the regulator during ground handling, possibly resulting in ignition/fire during system ground operational testing.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0186, dated September 24, 2024 (EASA AD 2024–0186).

(h) Exceptions to EASA AD 2024–0186

(1) Where EASA AD 2024–0186 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2024–0186 refers to July 30, 2019 (the effective date of EASA AD 2019–0168), this AD requires using April 2, 2020 (the effective date of AD 2020–03–14).

(3) Where paragraphs (1) and (2) of EASA AD 2024–0186 state ''the instructions of the AOT,'' this AD requires replacing that text with ''paragraph 4.2.2., Inspection Requirements, of the AOT.''

(4) Where paragraph (1) of EASA AD 2024–0186 specifies to ''inspect each affected part,'' this AD requires replacing that text with ''do a one-time inspection of any affected part that is installed on-wing.''

(5) Where paragraph (2) of EASA AD 2024–0186 specifies if ''any discrepancy is detected, as defined in the AOT,'' this AD requires replacing those words with ''any loose part making a sound during agitation of the cylinder is detected.''

(6) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0186.

(i) No Reporting and No Return of Parts Requirements

Although the material referenced in EASA AD 2024–0186 specifies to submit certain information and send removed parts to the manufacturer, this AD does not include those requirements.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: *AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (i) and (j)(2) of this AD, if any material referenced in EASA AD 2024–0186 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under those paragraphs, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

(k) Additional Information

For more information about this AD, contact Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email *dan.rodina@faa.gov*.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0186, dated September 24, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu*. You may find this material on the EASA website at *ad.easa.europa.eu*.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov*.

Issued on March 7, 2025.

Victor Wicklund,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–03940 Filed 3–17–25; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2024–0600; FRL–12508–03–R9]

Air Plan Revisions; Arizona; Arizona Department of Environmental Quality; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Environmental Protection Agency (EPA) is reopening the comment period for a proposed rule published January 17, 2025. The comment period end date for the proposed rule was February 18, 2025. In response to commenter request, the EPA is now reopening the comment period for the proposed rule until April 21, 2025. All comments received on or before April 21, 2025, will be entered into the public record and considered by EPA before taking final action on the proposed rule. Comments submitted between the close of the original comment period and the reopening of this comment period will be accepted and considered.

DATES: The comment period for the proposed rule published on January 17,

2025, at 90 FR 5790, is reopened. Comments must be received on or before April 21, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2024–0600 at *https://www.regulations.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact one of the people identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: For general inquiries and inquiries related to the Arizona Administrative Code: Christine Vineyard, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947–4125; email: *vineyard.christine@epa.gov.* For inquiries related to the Arizona Revised Statutes: Alina Batool, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone (415) 972–3345; email at *batool.alina@epa.gov.*

SUPPLEMENTARY INFORMATION: On January 17, 2025 (90 FR 5790), the EPA published the proposed rule ''Air Plan Revision; Arizona; Arizona Department of Environmental Quality'' in the **Federal Register**. The comment period end date for the proposed rule, as published, was February 18, 2025, which established a 30-day public comment period. In response to commenter request, the EPA is now reopening the comment period for the proposed rule to April 21, 2025. Comments must be received on or before April 21, 2025. Comments previously submitted need not be resubmitted as they are already incorporated into the public record and will be considered in the final action as appropriate.

Dated: February 25, 2025.

Matthew Lakin,

Director, Air and Radiation Division, Region IX.

[FR Doc. 2025–04039 Filed 3–17–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 10

[PS Docket Nos. 15–91 and 15–94; FCC 25–14; FR ID 284584]

Wireless Emergency Alerts; Emergency Alert System

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) proposes to broaden the circumstances in which alert originators may send Wireless Emergency Alert (WEA) messages using the ''Public Safety Message'' classification, which can allow consumers greater flexibility in how messages are presented on their mobile device, including the potential ability to silence alerts. The Commission also seeks comment on whether subscribers should be empowered to further customize their receipt of WEA messages, as well as additional steps that wireless providers, equipment manufacturers, and operating system developers can take to reduce the rate at which subscribers opt out of WEA.

DATES: Comments are due on or before April 17, 2025 and reply comments are due on or before May 19, 2025.

ADDRESSES: The public may submit comments, identified by PS Docket Nos. 15–91 and 15–94, by either the Federal Communications Commission's website (*https://www.apps.fcc.gov/ecfs/*) and following the instructions for submitting comments or by mail. Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.

Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: David Kirschner, Attorney-Advisor, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418–0695, or by email to *david.kirschner@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Eleventh Further Notice of Proposed Rulemaking (FNPRM), PS Docket Nos. 15–91 and 15–94; FCC 25–14, adopted February 27, 2025, and released February 28, 2025. The full text of this document is available by downloading the text from the Commission's website at: *https://www.fcc.gov/document/fcc-makes-weas-more-responsive-public-safety-and-consumer-needs.* This document will also be available for public inspection and copying during regular business hours in the FCC Reference Center, 45 L Street NE, Washington, DC 20554. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *FCC504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

A final rule relating to Wireless Emergency Alerts and the Emergency Alert System is published elsewhere in this issue of the **Federal Register**.

Synopsis

I. Further Notice of Proposed Rulemaking

1. In this *Eleventh Further Notice of Proposed Rulemaking,* we propose to allow alert originators greater flexibility to send WEAs using the Public Safety Message classification. Making this change would allow alert originators to send WEAs in a classification where the Commission's rules allow Participating CMS Providers to offer their subscribers greater flexibility in how they receive WEA messages. If Participating CMS Providers provide their subscribers with

the ability to customize how they receive WEAs sent in the Public Safety Message classification, and subscribers take advantage of their ability to customize such WEAs, we believe it will reduce subscriber alert fatigue and opt out. We also seek comment on whether subscribers should be empowered to further customize their receipt of WEA messages and other steps we can take to reduce subscriber alert fatigue and opt out.

A. Improving Public Safety Messages

2. The rules define a Public Safety Message as ''an essential public safety advisory that prescribes one or more actions likely to save lives and/or safeguard property during an emergency.'' The current rules limit the issuance of Public Safety Messages to circumstances ''in connection with'' a National Alert, Imminent Threat Alert, or AMBER Alert. We propose to remove that limitation. When the Commission adopted the Public Safety Message classification, it understood that these messages were ''intended to provide supplemental instructions about how to protect life or property during an AMBER Alert, Presidential Alert, or Imminent Threat Alert.'' We seek comment on whether broadening the scope of Public Safety Messages by removing the requirement that they ''supplement'' a prior alert would facilitate the use of WEA for situations where it can help keep people safe, such as MEP alerts, Blue Alerts, and boil water advisories. Conversely, could removing this limitation cause alert fatigue by increasing the number of WEAs that people receive about events that are less than the most urgent, severe, or certain to occur?

3. We seek comment on whether Public Safety Messages, as a class, increase consumer choice regarding whether they receive emergency alerts other than those that are the most urgent, severe, and certain to occur, as well as regarding the presentation of the Attention Signal along with such alerts. In 2016, the Commission allowed Participating CMS Providers to associate a unique pattern of sounds and vibrations with Public Safety Messages, instead of the Attention Signal, and allowed Participating CMS Providers to provide subscribers with the ability to silence or turn off Public Safety Messages during certain hours. The Commission also allowed Participating CMS Providers to provide their subscribers with the option to specify how the Attention Signal should be presented when a WEA is received during an active voice or data session. Have any Participating CMS Providers associated unique haptic or auditory cues with Public Safety Messages? Have any Participating CMS Providers provided their subscribers with the ability to turn off Public Safety Messages during certain hours? Have any Participating CMS Providers provided their subscribers with the option to control how the Attention Signal is presented during an active voice or data sessions? If so, how have these functions worked in practice? Are there additional actions that we should take to give subscribers control over their receipt of Public Safety Messages, given that, our proposal, if adopted, would allow alert originators to use Public Safety Messages for events less urgent, severe, or certain to occur than Imminent Threat Alerts? We seek comment on whether a silent-by-default setting for Public Safety Messages, with an option for consumers to opt into receiving the attention signal and/or vibration cadence, would better align with consumer preferences or expectations and thereby help to mitigate alert fatigue and consumer opt-out.

B. Enhancing Subscriber Customization

4. We seek comment on whether WEA-capable devices should provide subscribers with additional options that let them decide how alerts are presented. For example, should subscribers have greater flexibility to silence the attention signal or vibration cadence for certain classes of alerts? Should subscribers be able to configure the attention signal or vibration cadence so that it is presented notwithstanding the device's ''do-not-disturb'' settings? If so, how should these capabilities be implemented in practice? Should this option be available for all classes of alert message other than the National Alert, or only for certain classes (*e.g.,* only for AMBER alerts and Public Safety Messages)? Should the presentation of the attention signal and vibration cadence be individually adjustable for each alert class, in the event that the subscribers want them to behave differently? Should subscribers have the option of adjusting the volume of the attention signal to make it quieter or louder independent of their mobile device volume setting? Should WEA-capable devices adjust the volume of the attention signal to a pre-specified level when headphones are connected? Should alert originators be empowered to override the subscribers' selected settings to a greater degree than we require in the accompanying Report and Order, and if so, under what circumstances would it be appropriate for alert originators to do so? We seek comment on the costs and benefits associated with providing subscribers with these and other options for enhanced flexibility. If adopted, what effect would these capabilities have on public safety? Could these capabilities confuse consumers or pose technical implementation challenges? How should we balance the goal of increased flexibility for alert originators and consumers with the goal of reducing complexity and confusion that could undermine confidence in and use of the WEA system? Will allowing additional flexibility improve public safety by causing fewer subscribers to opt out of receiving life-saving alerts? Or will it endanger public safety by reducing the likelihood that subscribers will receive adequate warnings during disasters? We seek comment on any additional ways in which subscribers should be permitted to customize the WEA alerts that they receive that would make those alerts more effective.

C. Other Ways To Reduce Subscriber Opt-Out

5. We seek comment on any additional ways in which we might reduce the rate at which subscribers opt out of receiving certain classes of WEA messages. Our rules allow Participating CMS Providers to offer their subscribers the option to opt out of Child Abduction Emergency/AMBER Alert, Imminent Threat Alert, and Public Safety Message classes of WEA. Our rules also state that ''CMS providers shall provide their subscribers with a clear indication of what each option means, and provide examples of the types of messages the customer may not receive as a result of opting out.'' We seek comment on how Participating CMS Providers offer their subscribers the ability to opt out of receiving certain WEA notifications. Do mobile devices' WEA notification settings encourage thoughtful consideration of whether to opt out? Should we take further action to ensure that, if consumers do choose to opt out of receiving some types of WEA notifications, they do so only after having given due consideration to the consequences of not receiving time-sensitive, potentially life-saving alerts?

6. What actions can mobile device equipment manufacturers or operating system developers take regarding WEA notification settings or the way in which users are prompted to review those settings to promote careful consideration of the options? To what extent do mobile device manufacturers' design decisions influence the rate of consumer opt out? We seek comment on whether certain mobile device operating systems' implementation of the right to

opt out of WEA messages increases the incidence of consumer opt out. For example, if mobile device user interfaces are designed to repeatedly and prominently present users with the option to opt out of WEA, or the receipt of every WEA is associated with the presentation of the option to opt out, could that increase the likelihood that subscribers opt out of WEA? Do these user interface designs promote informed consumer choice? If not, what changes could be made to increase the likelihood of informed consumer choice? We seek comment on factors that might explain the difference between opt out rates between users of mobile devices made by different device manufacturers. Do other types of mobile devices and/or operating system make it easier or harder to opt out of receiving WEA messages?

7. We seek comment on whether revising the Public Safety Message classification or prohibiting certain user interface designs that incent opt out would impose costs on mobile device equipment manufacturers or Participating CMS Providers. We do not believe that compliance with our proposals to change the definition of a Public Safety Message would present any costs because no changes would be needed to systems or software to facilitate compliance. We seek comment on this view. If compliance does present costs, we invite commenters to quantify those costs and recommend specific actions that we could take to minimize the burden of compliance on small entities.

8. Finally, we seek comment on what the Commission can do to improve the timeliness and accuracy of WEA alerts. The effectiveness of WEAs during emergency situations depends heavily on their timeliness and accuracy. When these alerts are delayed or contain inaccurate information, their value diminishes significantly, which can lead to subscribers losing trust and ultimately opting out. What steps can be taken to enhance coordination between local authorities and other WEA stakeholders, including vendors of alert origination software and Participating CMS Providers, to ensure more timely alerts during emergencies? What additional measures or best practices could be implemented to ensure that WEA alerts contain accurate information, particularly in fast-evolving situations like wildfires or severe weather events?

II. Procedural Matters

9. *Regulatory Flexibility Act.* The Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) concerning the potential impact of the rule and policy changes contained in the *Eleventh Further Notice of Proposed Rulemaking.* The IRFA is set forth in Appendix D of the Commission document. The Commission invites the general public, in particular small businesses, to comment on the IRFA. Comments must be filed by the deadlines for comments indicated on the first page of the Commission document and must have a separate and distinct heading designating them as responses to the IRFA.

10. *Providing Accountability Through Transparency Act.* Consistent with the Providing Accountability Through Transparency Act, Public Law 118–9, a summary of this *Eleventh Further Notice of Proposed Rulemaking* will be available on *https://www.fcc.gov/proposed-rulemakings.*

11. *Ex Parte Rules—Permit-But-Disclose.* This proceeding this document initiates shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with Rule 1.1206(b). In proceedings governed by Rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

12. *Filing Requirements—Comments and Replies.* Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *https://www.fcc.gov/ecfs/.*
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
  - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.
  - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
  - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

13. *Paperwork Reduction Act.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

14. *People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice).

III. Ordering Clauses

15. *Accordingly it is ordered,* pursuant to the authority contained in Sections 1, 2, 4(i), 4(n), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, and 706 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(n), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, and 606, as well as by sections 602(a), (b), (c), (f), 603, 604 and 606 of the Warning Alert and Response Network (WARN) Act, 47 U.S.C. 1201(a), (b), (c), (f), 1203, 1204 and 1206, that this *Eleventh Further Notice of Proposed Rulemaking is* hereby *adopted.*

16. *It is further ordered* that the Commission's Office of the Secretary *shall send* a copy of this *Eleventh Further Notice of Proposed Rulemaking,* including the Initial Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Parts 10

Communications, Communications equipment, Electronic products, Individuals with disabilities, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 10 as follows:

PART 10—WIRELESS EMERGENCY ALERTS

■ 1. The authority citation for part 10 is revised to read as follows:

Authority: 47 U.S.C. 151, 152, 154(i), 154(n), 201, 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, 544(g), 606, 1201, 1202, 1203, 1204, and 1206.

■ 2. Amend § 10.400 by revising the introductory text and paragraph (d) to read as follows:

§ 10.400 Classification.

A Participating CMS Provider is required to receive and transmit four classes of Alert Messages: National Alert; Imminent Threat Alert; Child Abduction Emergency/AMBER Alert; and Public Safety Message.

* * * * *

(d) *Public Safety Message.* A Public Safety Message is an essential public safety advisory that prescribes one or more actions likely to save lives and/or safeguard property during an emergency.

[FR Doc. 2025–04125 Filed 3–17–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25–131; RM–11999; DA 25–211; FR ID 284975]

Television Broadcasting Services Henderson, Nevada

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking filed by Gray Television Licensee, LLC (Gray or Petitioner), the licensee of KVVU–TV, channel 9, Henderson, Nevada (Station or KVVU–TV). Petitioner requests that the Bureau substitute channel 9 for channel 24 at Henderson, Nevada in the Table of TV Allotments (table).

DATES: Comments must be filed on or before April 17, 2025 and reply comments on or before May 2, 2025.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Joan Stewart, Esq., Wiley Rein LLP, 2050 M Street NW, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Shaun Maher, Media Bureau, at *Shaun.Maher@fcc.gov,* (202) 418–2324, or Mark Colombo, Media Bureau, at *Mark.Colombo@fcc.gov,* (202) 418–7611.

SUPPLEMENTARY INFORMATION: On May 5, 2021, the Bureau granted a petition for rulemaking submitted by Gray to substitute channel 24 for channel 9 at Henderson for KVVU–TV. On February 28, 2022, Gray was granted a construction permit for its new channel, with an expiration date of February 28, 2025. Gray no longer plans to pursue construction of the proposed channel 24 facility. Thus, Gray requests amendment of the table to allow it to continue to operate on channel 9, and proposes to specify the technical parameters of its currently licensed channel 9 facility.

We believe that the Petitioner's channel substitution proposal for KVVU–TV warrants consideration. KVVU–TV is currently operating on channel 9 and the substitution of channel 9 for channel 24 in the table will allow the Station to remain on the air and continue to provide service to viewers within its service area. Given that Gray proposes to utilize its currently licensed parameters, we believe channel 9 can be substituted for channel 24 at Henderson as proposed, in compliance with the principal community coverage requirements of § 73.618(a) of the Commission's rules (Rules), at coordinates 36–00′–25.8″ N and 115–00′–24.9″ W. In addition, we find that this channel change meets the technical requirements set forth in § 73.622(a) of the Rules.

This is a synopsis of the Commission's *Notice of Proposed Rulemaking (NPRM),* MB Docket No. 25–131; RM–11999; DA 25–211, adopted March 11, 2025, and released March 11, 2025. The full text of this document is available for download at *https://www.fcc.gov/edocs.* To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to *FCC504@fcc.gov* or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden ''for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a NPRM is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of this notice of proposed rulemaking is available at *https://www.fcc.gov/proposed-rulemakings.*

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622, in the table in paragraph (j), under Nevada, revise the entry for ''Henderson'' to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(j) * * *

Community	Channel No.
* * * * *	
Nevada	
* * * * *	
Henderson	9
* * * * *	

* * * * *

[FR Doc. 2025–04414 Filed 3–17–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25–132; RM–12000; DA 25–212; FR ID 285067]

Television Broadcasting Services Portland, Oregon

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking filed by Gray Television Licensee, LLC (Gray or Petitioner), the licensee of KPTV(TV), channel 12, Portland, Oregon (Station or KPTV(TV)). Petitioner requests that the Bureau substitute channel 12 for channel 21 at Portland, Oregon in the Table of TV Allotments (table).

DATES: Comments must be filed on or before April 17, 2025 and reply comments on or before May 2, 2025.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Joan Stewart, Esq., Wiley Rein LLP, 2050 M Street NW, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Shaun Maher, Media Bureau, at *Shaun.Maher@fcc.gov,* (202) 418–2324, or Mark Colombo, Media Bureau, at *Mark.Colombo@fcc.gov,* (202) 418–7611.

SUPPLEMENTARY INFORMATION: On July 7, 2021, the Bureau granted a petition for rulemaking submitted by Gray to substitute channel 21 for channel 12 at Portland for KPTV(TV). On August 10, 2022, Gray was granted a construction permit for its new channel, with an expiration date of August 10, 2025. In its Petition, Gray states that it is unable to complete construction of the channel 21 facility by the expiration date. Thus, Gray requests amendment of the table to allow it to continue to operate on channel 12, and proposes to specify the technical parameters of its currently licensed channel 12 facility.

We believe that the Petitioner's channel substitution proposal for KPTV(TV) warrants consideration. KPTV(TV) is currently operating on channel 12 and the substitution of channel 12 for channel 21 in the table will allow the Station to remain on the air and continue to provide service to viewers within its service area. Given that Gray proposes to utilize its currently licensed parameters, we believe channel 12 can be substituted for channel 21 at Portland as proposed, in compliance with the principal community coverage requirements of section 73.618(a) of the Commission's rules (Rules), at coordinates 45–31′–18.0″ N and 122–44′–57.0″ W. In addition, we find that this channel change meets the technical requirements set forth in section 73.622(a) of the Rules.

This is a synopsis of the Commission's *Notice of Proposed Rulemaking,* MB Docket No. 25–132; RM–12000; DA 25–212, adopted March 11, 2025, and released March 11, 2025. The full text of this document is available for download at *https://www.fcc.gov/edocs.* To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to *FCC504@fcc.gov* or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden ''for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of this notice of proposed rulemaking is available at *https://www.fcc.gov/proposed-rulemakings.*

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622, in the table in paragraph (j), under Oregon, revise the entry for ''Portland'' to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(j) * * *

Community	Channel No.
* * * * *	
Oregon	
* * * * *	
Portland	*10, 12, 24, 25, 26, 32.
* * * * *	

* * * * *

[FR Doc. 2025–04411 Filed 3–17–25; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 250311–0035]

RIN 0648–BN45

Fisheries of the Northeastern United States; Framework Adjustment 39 to the Atlantic Sea Scallop Fishery Management Plan

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to approve and implement Framework Adjustment 39 to the Atlantic Sea Scallop Fishery Management Plan (FMP) that establishes specifications and other management measures for fishing years 2025 and 2026, including fishing effort allocation into access areas, modifying when areas open to optimize yield and minimize bycatch, and closures to protect juvenile scallops. Vessels with a limited access general category B permit may transit outside of the Northern Gulf of Maine with scallops onboard. Research set-aside program regulations are clarified. This action is necessary to prevent overfishing and improve resource yield-per-recruit and management of the fishery.

DATES: Comments must be received by April 2, 2025.

ADDRESSES: The New England Fishery Management Council (Council) has prepared a draft environmental assessment (EA) for this action that describes the proposed measures in Framework 39 and other considered alternatives and analyzes the impacts of the proposed measures and alternatives. The Council submitted a draft of Framework 39 to NMFS that includes the draft EA, a description of the Council's preferred alternatives, the Council's rationale for selecting each alternative, and an Initial Regulatory Flexibility Analysis (IRFA). Copies of the draft of Framework 39, the draft EA, the IRFA, and information on the economic impacts of this proposed rulemaking are available upon request from Dr. Cate O'Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950 and accessible via the internet in documents available at: *https://www.nefmc.org/library/scallop-framework-39.*

A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2024-0145.* You may submit comments on this document, identified by NOAA–NMFS–2024–0145, by the following method:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and enter NOAA–NMFS–2024–0145 in the Search box (note: copying and pasting the FDMS Docket Number directly from this document may not yield search results). Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.

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 *https://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).

FOR FURTHER INFORMATION CONTACT: Emily Keiley, Fishery Policy Analyst, 978–281–9116, email: *emily.keiley@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The scallop fishery's management unit ranges from the shorelines of Maine through North Carolina to the outer boundary of the Exclusive Economic Zone. The Atlantic Sea Scallop FMP, established in 1982, includes a number of amendments and framework adjustments that have revised and refined the fishery's management. The New England Fishery Management Council sets scallop fishery catch limits and other management measures through specification or framework adjustments that occur annually or biennially. The Council adopted Framework Adjustment 39 to the Atlantic Sea Scallop FMP on December 5, 2024. Council action on Framework 39 could not be taken until the December meeting because the data and scientific analysis required to support the action was not complete and available until the end of November 2024. Each year the scallop resource is surveyed and area-specific estimates of scallop biomass are produced to support the dynamic management system. These surveys, resulting data, and analysis are critical to the development of science-driven allocations. The Council submitted a draft of the framework, including the Initial Regulatory Flexibility Act analysis for NMFS review and approval on December 20, 2024. This action proposes to approve and implement Framework 39, which establishes scallop specifications and other measures for fishing years 2025 and 2026, including changes to the catch, effort, and quota allocations and adjustments to the rotational area management program for fishing year 2025, and establishes default specifications for fishing year 2026, as recommended by the Council.

NMFS proposes to implement these Framework 39 measures by the April 1 start of fishing year 2025. If NMFS implements these measures after the start of the fishing year, the default allocation measures currently established for fishing year 2025 will go into effect on April 1, 2025. The default allocations are significantly lower than the allocations proposed in Framework 39. Delay of this action beyond the April 1 start of the fishing year would result in negative social and economic impacts to the scallop industry. Pursuant to section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), this proposed rule is deemed necessary and appropriate,

Specification of Scallop Overfishing Limit (OFL), Acceptable Biological Catch (ABC), Annual Catch Limits (ACL), Annual Catch Targets (ACT), Annual Projected Landings (APL) and Set-Asides for the 2025 Fishing Year, and Default Specifications for Fishing Year 2026

The Council set the proposed OFL based on a fishing mortality rate (F) of 0.61, equivalent to the F threshold updated through the Northeast Fisheries Science Center's most recent scallop benchmark stock assessment that was completed in September 2020 (NEFSC, 2020). The proposed ABC and the equivalent total ACL for each fishing year are based on an F of 0.45, which is the F associated with a 25-percent probability of exceeding the OFL. The Council's Scientific and Statistical Committee (SSC) recommended scallop fishery ABCs of 39.5 million pounds (lb; 17,901 metric tons (mt)) for 2025 and 39.1 million lb (17,745 mt) for the 2026 fishing year, after accounting for discards and incidental mortality. In support of the Council's development of the next framework adjustment, the SSC will reevaluate the best available scientific information and, if warranted by the science at that time, the SSC may recommend modifications to the ABC for the 2026 fishing year.

Table 1 outlines the proposed scallop fishery catch limits. After deducting the incidental target total allowable catch (TAC), the research set-aside (RSA), and the observer set-aside, the remaining ACL available to the fishery is allocated according to the following fleet proportions established in Amendment 11 to the Atlantic Sea Scallop FMP (72 FR 20090, April 14, 2008): 94.5 percent is allocated to the limited access scallop fleet (*i.e.,* the larger ''trip boat'' fleet); 5 percent is allocated to the limited access general category (LAGC) individual fishing quota (IFQ) fleet (*i.e.,* the smaller ''day boat'' fleet); and the remaining 0.5 percent is allocated to limited access scallop vessels that also have LAGC IFQ permits. Amendment 15 (76 FR 43746, July 21, 2011) specified that buffers to account for management uncertainty are not necessary in setting the LAGC ACLs (*i.e.,* the LAGC ACL is equal to the LAGC ACT). For the limited access fleet, the management uncertainty buffer is based on the F associated with a 75-percent probability of remaining below the F associated with ABC/ACL, which, using the updated Fs applied to the ABC/ACL, now results in an F of 0.39. Amendment 21 (87 FR 1688, January 12, 2023) modified the ACL flowchart to account for the scallop biomass in the Northern Gulf of Maine (NGOM) as part of the legal limits in the fishery by adding biomass from the area into calculations of the OFL and ABC. That action moved the accounting of the NGOM ACL from only within the OFL into the OFL and ABC/ACL for the entire fishery. In addition, Amendment 21 created the NGOM Set-Aside to support a directed LAGC fishery (including NGOM and LAGC IFQ permitted vessels) in the NGOM Management Area.

TABLE 1—SCALLOP CATCH LIMITS (mt) FOR FISHING YEARS 2025 AND 2026 FOR THE LIMITED ACCESS AND LAGC IFQ FLEETS

Catch limits	2025 (mt)	2026 (mt) [1]
OFL	28,970	30,031
ABC/ACL (discards removed)	17,901	17,745
Incidental Landings	23	23
RSA	578	578
Observer Set-Aside	179	177
NGOM Set-Aside	306	230
ACL for fishery	16,815	16,736
Limited Access ACL	15,890	15,816
LAGC Total ACL	925	920
LAGC IFQ ACL (5 percent of ACL)	841	837
Limited Access with LAGC IFQ ACL (0.5 percent of ACL)	84	84
Limited Access ACT	13,771	13,707
APL (after set-asides removed)	8,180	([1])
Limited Access APL (94.5 percent of APL)	7,730	([1])
Total IFQ Annual Allocation (5.5 percent of APL)[2]	450	337
LAGC IFQ Annual Allocation (5 percent of APL)[2]	409	307
Limited Access with LAGC IFQ Annual Allocation (0.5 percent of APL)[2]	41	31

[1] The catch limits for the 2026 fishing year are subject to change through a future specifications action or framework adjustment. This includes the setting of an APL for 2026 that will be based on the 2025 annual scallop surveys.

[2] As a precautionary measure, the 2026 IFQ and annual allocations are set at 75 percent of the 2025 IFQ Annual Allocations.

Research Set-Aside

This action would deduct 1.275 million lb (578 mt) of scallops annually for 2025 and 2026 from the ABC for use as the Scallop RSA to fund scallop research. Vessels participating in Scallop RSA are compensated through the sale of scallops harvested under RSA projects. Of the 1.275 million-lb (578-mt) allocation, NMFS has already allocated 275,181 lb (124,820 kg) to previously-funded multi-year projects as part of the 2024 RSA awards process. NMFS is reviewing proposals submitted for consideration of 2025 RSA awards and will be selecting projects for funding in the near future.

Of the 1.275 million lb (578 mt) of scallops set aside for 2025 RSA, up to half (625,000 lb, 283.5 mt) can be harvested from the access areas (Areas I and II). No limit will be set on the amount that can be harvested from open areas. The cap on access area RSA harvest is intended to spread out compensation fishing between access and open areas to prevent depletion of the access areas while allowing some access to ensure the viability of the RSA program.

This action allows vessels participating in RSA projects to harvest RSA compensation from the open area and the Area I and II Scallop Rotational Areas. All vessels are prohibited from harvesting RSA compensation pounds in all other access areas. Vessels are prohibited from fishing for RSA compensation in the NGOM, unless the vessel is fishing on an RSA compensation trip using NGOM RSA allocation that was awarded to an RSA

project. Lastly, Framework 39 prohibits the harvest of RSA from any rotational area under default 2026 measures. At the start of the 2026 fishing year, RSA compensation may only be harvested from open areas. The Council will re-evaluate this default prohibition measure in the action that would set final 2026 specifications.

Observer Set-Aside

This action would also deduct one percent of the ABC for the industry-funded observer program to help defray the cost to scallop vessels that carry an observer. The observer set-aside is 394,627 lb (179 mt) for 2025 and 390,218 lb (177 mt) for 2026. The Council may adjust the 2026 observer set-aside when it develops specific, non-default measures for 2026.

Open Area Days-at-Sea (DAS) Allocations

This action would implement vessel-specific DAS allocations for each of the three limited access scallop DAS permit categories (*i.e.,* full-time, part-time, and occasional) for 2025 and 2026 (table 2). Proposed 2025 DAS allocations are more than those allocated to the limited access fleet in 2024. Framework 39 would set 2026 DAS allocations at 75 percent of fishing year 2025 DAS allocations as a precautionary measure. This is to avoid over-allocating DAS to the fleet in the event that the 2026 specifications action is delayed past the start of the 2026 fishing year. The proposed allocations in table 2 exclude any DAS deductions that are required if the limited access scallop fleet exceeds its 2024 sub-ACL.

TABLE 2—SCALLOP OPEN AREA DAS ALLOCATIONS FOR 2025 AND 2026

Permit category	2025	2026 (default)
Full-Time	24	18
Part-Time	9.6	7.2
Occasional	2.0	1.5

If NMFS implements these Framework 39 measures after the April 1 start of fishing year 2025, default DAS allocations, which were established in Framework Adjustment 38 to the Atlantic Sea Scallop FMP (89 FR 20341, March 22, 2024), would go into effect on April 1, 2025. Under the existing default DAS allocations, full-time vessels would receive 15 DAS, part-time vessels would receive 6 DAS, and occasional vessels would receive 1.25 DAS. NMFS will notify all limited access permit holders of both default and Framework 39 DAS allocations so that vessel owners know what mid-year adjustments would occur should Framework 39 be approved and implemented after April 1, 2025.

Changes to Fishing Year 2025 Sea Scallop Rotational Area Program—Closed Areas

Framework 39 would close Nantucket Lightship-North and South (table 3) and the Elephant Trunk (table 4). Closure of the Nantucket Lightship area is intended to optimize growth of juvenile scallops observed in the area to support future rotational access. In the mid-Atlantic, a closure of the Elephant Trunk is intended to protect a strong recruitment event detected by the 2024 surveys; these scallops are currently too small to harvest, closure of the area is intended to allow them to grow while reducing incidental mortality that would occur if the area were open to fishing.

TABLE 3—NANTUCKET LIGHTSHIP SCALLOP ROTATIONAL AREA

Point	Latitude	Longitude
NL1	40° 20.0′ N	69° 30.0′ W
NL2	40° 20.0′ N	68° 48.0′ W
NL3	40° 33.0′ N	68° 48.0′ W
NL4	40° 33.0′ N	69° 00.0′ W
NL5	40° 50.0′ N	68° 60.0′ W
NL6	40° 50.0′ N	69° 30.0′ W
NL1	40° 20.0′ N	69° 30.0′ W

TABLE 4—ELEPHANT TRUNK SCALLOP ROTATIONAL AREA

Point	Latitude	Longitude
ET1	38°50.0′ N	74°20.0′ W
ET2	38°50.0′ N	73°30.0′ W
ET3	38°10.0′ N	73°30.0′ W
ET4	38°10.0′ N	74°20.0′ W
ET1	38°50.0′ N	74°20.0′ W

Changes to Fishing Year 2025 Sea Scallop Rotational Area Program—Open Access Areas

The 2024 scallop surveys show that Area I and Area II access areas hold higher densities of larger scallops and can support rotational fishing in 2025. Framework 39 would keep the Area II Scallop Rotational Area open for fishing year 2025 (table 5). In addition, it would open the Area I Rotational Area (table 6) to scallop fishing as part of the Rotational Access Area Program.

The continued expansion of the Area II boundary to include Closed Area II Extension will allow the fishery to target relatively high densities of exploitable biomass and to spread effort out across a larger area. Most scallops in the Area II access area are exploitable and have supported access area fishing for several years.

For fishing year 2025, Framework 39 would combine the areas formally known as Area I, Area I-Sliver, and Area I-Quad to create the Area I Rotational Access Area (table 6).

TABLE 5—AREA II SCALLOP ROTATIONAL AREA

Point	Latitude	Longitude	Note
AII1	41°30′ N	67°20′ W	
AII2	41°30′ N	(1)	(2)
AII3	40°40′ N	(3)	(2)
AII4	40°40′ N	67°20′ W	

[1] The intersection of 41°30′ N lat. and the U.S.-Canada Maritime Boundary, approximately 41°30′ N lat., 66°34.73′ W long.
[2] From Point AII2 connected to Point AII3 along the U.S.-Canada Maritime Boundary.
[3] The intersection of 40°40′ N lat. and the U.S.-Canada Maritime Boundary, approximately 40°40′ N lat. and 65°52.61′ W long.

TABLE 6—AREA I SCALLOP ROTATIONAL AREA

Point	Latitude	Longitude
AI1	40°55.0′ N	68°53.4′ W
AI2	41°30.0′ N	69°23.0′ W
AI3	41°30.0′ N	68°30.0′ W
AI4	40°58.0′ N	68°30.0′ W
AI1	40°55.0′ N	68°53.4′ W

Access Area Transit

To better enforce the Sea Scallop Rotational Area Management Program, Framework 38 prohibited all vessels fishing under a scallop declaration from entering or transiting any scallop rotational areas unless the vessel is on a declared trip into that area, or otherwise specified. Framework 38 also designated the area known as Area I (including the Area I-Quad) (table 7) as a corridor for continuous transiting. In Framework 39, the Council did not recommend any changes to the current transit regulations, so this action proposes no changes to the Area-I transit corridor.

TABLE 7—AREA I SCALLOP TRANSIT CORRIDOR

Point	Latitude	Longitude
AIA1	40°58.2′ N	68°30′ W
AIA2	40°55.8′ N	68°46.8′ W
AIA3	41°3.0′ N	68°52.2′ W
AIA4	41°0.6′ N	68°58.2′ W
AIA1	40°58.2′ N	68°30′ W

Delayed Access Area Opening

The Area I and Area II Rotational Access Areas would be closed annually from April 1 through May 14. The areas would re-open on May 15 each fishing year. Scallop yield fluctuates seasonally, with yields on Georges Bank highest in the summer. Fishing during times of improved yield would reduce overall fishing mortality, as fewer animals would be harvested to fill a vessel's access area allocation, and reduce swept area impact on habitat and impacts to non-target species and protected species. A delayed opening of these access areas may also reduce impacts from fishing in areas with multiple cohorts (scallops of different ages/sizes), such as the Area I—Sliver.

This closure would remain in place for the Area I and Area II access areas unless changed in a future action. If parts of these areas become available for open bottom fishing in future actions (*e.g.,* Area II–Extension), the access area closure would not apply. Limited Access vessels would have 60 days after the re-opening of the access areas on May 15 to finish harvesting their previous year's access area allocation.

Area II Seasonal Bycatch Closure

Area II would be closed annually to directed scallop fishing from November 15 through May 15. This closure is intended to reduce bycatch of windowpane and yellowtail flounder and to optimize scallop yield. The current closure, August 15 through November 15, does not cover the time period when windowpane bycatch is highest. Catch rates of windowpane flounder have been highest from December through April. Displacing scallop fishing effort from those months would reduce non-target species impacts, particularly in April when both fishing effort and northern windowpane catch rates are both relatively high. Scallop meat yields are also low during the winter and spring months, and displacing fishing effort in Area II from February, March, and April into the late spring and summer would reduce overall fishing mortality. Shifting and extending the timing of the bycatch closure will better align access to the area with times of lower flatfish bycatch, and when scallop yield is highest.

As the closure would overlap with the beginning of the following fishing year, vessels would be permitted to fish their remaining Area II trips when the area reopens. Limited Access vessels would have 60 days after the re-opening of the access areas to finish harvesting their previous year's access area allocation.

New York Bight Scallop Rotational Area Reverting to Open Area

Framework 39 would revert the New York Bight Scallop Rotational Area to the open area. This area was previously managed as part of the area rotation program; however, there is not enough biomass to support rotational access, nor was there enough recruitment seen in the 2024 annual survey to support keeping this area as part of the program. The area no longer meets the criteria for either closure or controlled access as defined in 50 CFR 648.55(a)(6). This area would become part of the open area and could be fished as part of the DAS program or on LAGC IFQ open area trips after the 60-day carryover period, *i.e.,* after May 30, 2025.

Full-Time Limited Access Allocations and Trip Possession Limits for Scallop Access Areas

Table 8 provides the proposed limited access full-time allocations for all of the access areas for the 2025 fishing year and the first 60 days the access areas that are open in the 2026 fishing year. These allocations could be landed in as many trips as needed, so long as vessels do not exceed the possession limit (also in table 7) on any one trip.

TABLE 8—PROPOSED SCALLOP ACCESS AREA FULL-TIME LIMITED ACCESS VESSEL POUNDAGE ALLOCATIONS AND TRIP POSSESSION LIMITS FOR 2025 AND 2026

Rotational access area	Scallop per trip possession limit	2025 Scallop allocation	2026 Scallop allocation (default)
Area I	12,000 lb (5,443 kg) per trip	12,000 lb (5,443 kg)	0 lb (0 kg).
Area II	12,000 lb (5,443 kg) per trip	12,000 lb (5,443 kg)	0 lb (0 kg).
Total		24,000 lb (10,886 kg)	0 lb (0 kg).

Full-Time Limited Access Vessels' One-for-One Access Area Allocation Exchanges

Framework 39 would allow full-time limited access vessels to exchange access area allocation in 6,000-lb (2,722-kg) increments. The owner of a vessel issued a full-time limited access scallop permit would be able to exchange unharvested scallop pounds allocated into an access area for another full-time limited access vessel's unharvested scallop pounds allocated into another access area. For example, a full-time vessel may exchange 6,000 lb (2,722 kg) from one access area for 6,000 lb (2,722 kg) allocated to another full-time vessel for another access area. Further, a full-time vessel may exchange 12,000 lb (5,443 kg) from one access area for 12,000 lb (5,443 kg) allocated to another full-time vessel for another access area. These exchanges may be made only between vessels with the same permit

category; a full-time vessel may not exchange allocations with a part-time vessel, and vice versa. Part-time vessels may not exchange access area allocations.

Part-Time Limited Access Allocations and Trip Possession Limits for Scallop Access Areas

Table 9 provides the proposed limited access part-time allocations for all of the access areas for the 2025 fishing year and the first 60 days the access areas are open in the 2026 fishing year. Vessels could fish the allocation in either of the open access areas (*i.e.,* Area I and Area II). These allocations could be landed in as many trips as needed, so long as a vessel does not exceed the possession limit (also in table 9) or its available allocation on any one trip.

TABLE 9—PROPOSED SCALLOP ACCESS AREA PART-TIME LIMITED ACCESS VESSEL POUNDAGE ALLOCATIONS AND TRIP POSSESSION LIMITS FOR 2025 AND 2026

Rotational access area	Scallop per trip possession limit	2025 Scallop allocation	2026 Scallop allocation (default)
Area I or Area II [1]	9,600 lb (4,354 kg)	9,600 lb (4,354 kg)	0 lb (0 kg).

[1] Allocation can be fished in either Area I and/or Area II Access Areas.

LAGC Measures

1. ACL and IFQ Allocation for LAGC Vessels With IFQ-Only Permits

This action would implement a 1.854 million-lb (841-mt) ACL for 2025 and a 1.845 million-lb (837-mt) default ACL for 2026 for LAGC vessels with IFQ permits (see table 1). These sub-ACLs provide a ceiling on overall landings by the LAGC IFQ fleet. If the fleet were to reach this ceiling, any overages would be deducted from the following year's sub-ACL. Framework 28 (82 FR 15155, March 27, 2017) changed the way the LAGC IFQ allocations are set from a direct percentage of the ACL to a percentage of the APL. The purpose of this change was to help ensure that the allocation of potential catch between the fleets is more consistent with the concept of spatial management by allocating catch to the LAGC IFQ fleet based on harvestable scallops instead of total biomass. Since Framework 28 was implemented in 2017, the LAGC IFQ allocation has been equal to 5.5 percent of the projected landings (5 percent for LAGC IFQ vessels and 0.5 percent for LAGC IFQ vessels that also have a limited access scallop permit). The annual allocation to the LAGC IFQ-only fleet for fishing years 2025 and 2026 based on APL would be 901,691 lb (409 mt) for 2025 and 676,819 lb (307 mt) for 2026 (see table 1). Each vessel's IFQ would be calculated from these allocations based on APL.

If NMFS implements these Framework 39 measures after the April 1 start of the 2025 fishing year, the default 2025 IFQ allocations would go into place automatically on April 1, 2025. NMFS will notify IFQ permit holders of both default 2025 and Framework 39 IFQ allocations so that vessel owners know what mid-year adjustments would occur should Framework 39 be approved and implemented after the April 1, 2025, start of fishing year 2025.

2. ACL and IFQ Allocation for Limited Access Scallop Vessels With IFQ Permits

This action would implement a 185,188-lb (84-mt) ACL for 2025 and a default 185,188-lb (84-mt) ACL for 2026 for limited access scallop vessels with IFQ permits (see table 1). These sub-ACLs provide a ceiling on overall landings by this fleet. If the fleet were to reach this ceiling, any overages would be deducted from the following year's sub-ACL. The annual allocation to limited access vessels with IFQ permits would be 90,390 lb (41 mt) for 2025 and 90,390 lb (41 mt) for 2026 (see table 1). Each vessel's IFQ would be calculated from these allocations based on APL. NMFS will notify IFQ permit holders of both default 2025 and Framework 39 IFQ allocations so that vessel owners know what mid-year adjustments would occur should Framework 39 be approved and implemented after the April 1, 2025, start of fishing year 2025.

3. LAGC IFQ Trip Allocations for Scallop Access Areas

Framework 39 would allocate LAGC IFQ vessels a fleet-wide number of trips for fishing year 2025 and no default trips for fishing year 2026 (see table 10). The scallop catch associated with the total number of trips for all areas combined (571 trips) for fishing year 2025 is equivalent to 5.5 percent of total projected catch from access areas.

LAGC Access Area trips can be taken in any of the available areas (Area I or Area II). Once the Regional Administrator has determined that the total number of LAGC IFQ access area trips have been or are projected to be taken, all of the access areas would then be closed to LAGC IFQ fishing.

TABLE 10—FISHING YEARS 2025 AND 2026 LAGC IFQ TRIP ALLOCATIONS FOR SCALLOP ACCESS AREAS

Scallop access area	2025	2026 [2]
Area I/Area II/New York Bight [1]	571	0
Total	571	0

[1] LAGC Access Area trips can be taken in any of the available areas until Regional Administrator determines that the total number of LAGC IFQ trips have been or are projected to be taken.

[2] The LAGC IFQ access area trip allocations for the 2026 fishing year are subject to change through a future specifications action or framework adjustment.

4. NGOM Scallop Fishery Landing Limits

This action proposes total allowable landings (TAL) in the NGOM of 712,093 lb (323,000 kg) for fishing year 2025. This action would deduct 25,000 lb (11,340 kg) of scallops annually for 2025 and 2026 from the NGOM TAL to increase the overall Scallop RSA to fund scallop research. In addition, this action would deduct one percent of the NGOM ABC from the NGOM TAL for fishing years 2025 and 2026 to support the industry-funded observer program to help defray the cost to scallop vessels that carry an observer (table 11).

Amendment 21 developed landing limits for all permit categories in the NGOM and established an 800,000-lb (362,874-kg) NGOM Set-Aside trigger for the NGOM directed fishery, with a sharing agreement for access by all permit categories for allocation above the trigger. Allocation above the trigger (*i.e.,* the NGOM APL) will be split 5 percent for the NGOM fleet and 95 percent for limited access and LAGC IFQ fleets. Framework 39 would set a NGOM Set-Aside of 675,563 lb (306,430 kg) for fishing year 2025 and a default NGOM Set-Aside of 506,672 lb (229.823

kg) for fishing year 2026. Because the NGOM Set-Aside for fishing years 2025 and 2026 is below the 800,000-lb (362,874-kg) trigger, Framework 39 would not allocate any landings to the NGOM APL. Table 10 describes the breakdown of the NGOM TAL for the 2025 and 2026 (default) fishing years.

TABLE 11—NGOM SCALLOP FISHERY LANDING LIMITS FOR FISHING YEAR 2025 AND 2026

Landings limits	2025	2026 [1]
NGOM TAL	712,093 lb (323,000 kg)	534,070 lb (242,250 kg).
1 percent NGOM ABC for Observers	11,530 lb (5,230 kg)	11,530 lb (5,230 kg).
RSA Contribution	25,000 lb (11,340 kg)	25,000 lb (11,340 kg).
NGOM Set-Aside	675,563 lb (306,430 kg)	506,672 lb (229.823 kg).
NGOM APL	([2])	([2]).

[1] The catch limits for the 2026 fishing year are subject to change through a future specifications action or framework adjustment. This includes the setting of an APL for 2026 that will be based on the 2025 annual scallop surveys.
[2] NGOM APL is set when the NGOM Set-Aside is above 800,000 lb (362,874 kg).

5. Northern Gulf of Maine Permitted Vessel Transit

This action proposes to allow vessels issued an LAGC Category B permit to possess scallops and transit, with gear stowed, outside of the NGOM scallop management area. Vessels issued a NGOM scallop permit would continue to be prohibited from declaring into or fishing for scallops outside of the NGOM scallop management area. Vessels issued an LAGC Category B permit fishing in the NGOM would continue to be limited to no more than 1,666 lb (756 kg) of in-shell scallops shoreward of the Vessel Monitoring System (VMS) demarcation line.

Vessels possessing a LAGC Category B permit are currently prohibited from possessing scallops harvested on a declared NGOM trip outside of the NGOM scallop management area. Vessels with LAGC Category A permits are allowed to possess scallops and transit outside of the area. This proposed change acknowledges that several ports that are south of 42°20'N. latitude, such as Scituate, and Provincetown, MA, are a short distance from Stellwagen Bank where the majority of biomass within the NGOM scallop management area is located. This measure would allow vessels to possess and land catch in principle ports south of the southern boundary of the management unit.

6. Scallop Incidental Landings Target TAL

This action proposes a 50,000-lb (22,680-kg) scallop incidental landings target TAL for each respective fishing year, 2025 and 2026, to account for mortality from vessels that catch scallops while fishing for other species and ensure that F targets are not exceeded. The Council and NMFS may adjust this target TAC in a future action if vessels catch more scallops under the incidental target TAC than predicted.

Regulatory Corrections Under Regional Administrator Authority

This proposed rule includes one revision to add regulatory text to clarify the conditions related to research set-aside harvest. Regulatory text has been added at § 648.56(i) to clarify that fishing vessels harvesting research set-aside pounds are not allowed to also harvest commercial pounds on the same trip.

These revisions are consistent with section 305(d) of the Magnuson-Stevens Act, which provides authority to the Secretary of Commerce to promulgate regulations necessary to ensure that amendments to the Atlantic Sea Scallop FMP are carried out in accordance with the Atlantic Sea Scallop FMP and the Magnuson-Stevens Act.

Classification

NMFS is proposing annual specifications and management measure changes pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, which provides specific authority for implementing regulations prepared under section 303(c). Pursuant to section 305(d) of the Magnuson-Steven Act, this action is necessary to carry out the Atlantic Sea Scallop FMP by allowing NMFS to implement measures developed in Framework Adjustment 39 to the Atlantic Sea Scallop FMP for fishing year 2025. The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Atlantic Sea Scallop FMP and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant under Executive Order 12866.

NMFS's primary economic analysis compares projected fleetwide revenues between the 2025 fishing year (*i.e.,* Framework 39) and the 2024 fishing year (*i.e.,* Framework 38). This approach allows NMFS to estimate the impacts the rule would have on fishery revenues when compared to the previous season. The proposed rule would allocate each full-time limited access vessel 24 open area DAS and 2 access area trips (*i.e.,* 1 Area I trips at 12,000 lb (5,443 kg) and 1 Area II at 12,000 lb (5,443 kg)) amounting to 24,000 lb (10,886 kg) of projected landings in the fishing year 2025. As a result of these provisions, NMFS estimates that projected landings for limited access and LAGC fleets would decrease by about 7.64 million lbs. (3,465 mt) in the 2025 fishing year. This reduced catch would reduce the fleetwide revenue for the limited access vessels (including revenue from the LAGC IFQ vessels) by about $35.7 million (in 2024 dollars), when compared to the fishing year 2024 projections. The measures proposed in this action are intended to align and optimize fishery access, in fishing year 2025, with the current resource conditions, while protecting small scallops to increase yield in future years.

As a secondary analysis, NMFS also compared projected fleetwide revenues resulting from this proposed rule with the 2025 default measures implemented in Framework 38. This approach compares revenues to a ''no action'' baseline, however it does not reflect the potential change in fishery revenues when compared with the previous year. Projected landings under the Framework 38 default measures were estimated to be 9.16 million lbs., resulting in estimated revenues of $167.45 million. The proposed measures in this rulemaking are expected to result in projected landings of 19.75 million lbs., with estimated revenues of $348.25 million. Therefore, relative to the default measures that will go into effect without Framework 39, the Framework provides an increase in projected scallop revenues of $180.8 million.

An IRFA was prepared for Framework 39, as required by section 603 of the Regulatory Flexibility Act (RFA). The

IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained at the beginning of this section in the preamble and in the **SUMMARY** section of the preamble. A copy of this analysis is available from the Council (see **ADDRESSES**). A summary of the IRFA follows:

Description of the Reasons Why Action by the Agency Is Being Considered and Statement of the Objectives of, and Legal Basis for, This Proposed Rule

This action proposes the management measures and specifications for the Atlantic sea scallop fishery for fishing year 2025, along with 2026 default measures. A description of the action, why it is being considered, and the legal basis for this action are contained in the Council's Framework 39 document and in the preamble of this proposed rule. They are not repeated here.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

Federal Rules Which May Duplicate, Overlap or Conflict With This Proposed Rule

The proposed regulations do not create overlapping regulations with any state regulations or other Federal laws.

Description and Estimate of Number of Small Entities to Which the Proposed Rule Would Apply

The proposed regulations would affect all vessels with limited access, LAGC IFQ, and LAGC NGOM scallop permits. Framework 39 (section 5.6) and the LAGC IFQ Performance Evaluation (2017) provide extensive information on the number of vessels that would be affected by the proposed regulations, their home and principal state, dependency on the scallop fishery, and revenues and profits (see **ADDRESSES**). There were 315 vessels that held full-time limited access permits in fishing year 2023, including 250 dredge, 54 small-dredge, and 11 scallop trawl permits. In the same year, there were also 29 part-time limited access permits in the sea scallop fishery. No vessels were issued occasional scallop permits in 2023. Approximately 99 of the IFQ vessels and 89 NGOM vessels actively fished for scallops in fishing year 2023. The remaining IFQ permits likely leased out scallop IFQ allocations with their permits in Confirmation of Permit History. The limited access fleet also held LAGC permits, *i.e.,* 39 of limited access vessels also had IFQ permits; 66 had NGOM permits, and 76 had incidental permits.

For RFA purposes, NMFS defines a small business in a shellfish fishery as a firm that is independently owned and operated with receipts of less than $11 million annually (see 50 CFR 200.2). Individually permitted vessels may hold permits for several different fisheries, harvesting species of fish that are regulated by several different fishery management plans, in addition to those impacted by the proposed action. Furthermore, multiple permitted vessels and/or permits may be owned by entities affiliated through stock ownership, common management, identity of interest, contractual relationships, or economic dependency. For the purposes of this analysis, ''ownership entities'' are defined as those entities with common ownership as listed on the permit application. Only permits with identical ownership are categorized as an ''ownership entity.'' For example, if five permits have the same seven persons listed as co-owners on their permit applications, those seven persons would form one ''ownership entity'' that holds those five permits. If two of those seven owners also co-own additional vessels, that ownership arrangement would be considered a separate ''ownership entity'' for the purpose of this analysis.

On June 1 of each year, ownership entities are identified based on a list of all permits for the most recent complete calendar year. The current ownership dataset is based on the calendar year 2023 permits and contains average gross sales associated with those permits for calendar years 2019 through 2023. Matching the potentially impacted 2023 fishing year permits described above (*i.e.,* limited access and LAGC IFQ) to calendar year 2023 ownership data results in 153 distinct ownership entities for the limited access fleet and 76 distinct ownership entities for the LAGC IFQ fleet. Based on the Small Business Administration (SBA) guidelines, 146 of the limited access distinct ownership entities and 76 LAGC IFQ entities are categorized as small. Seven limited access and none of LAGC IFQ entities are categorized as large business entities with annual fishing revenues over 11 million dollars in the calendar year 2023. There were 85 distinct small business entities with NGOM permits in 2023.

Description of Significant Alternatives to the Proposed Action Which Accomplish the Stated Objectives of Applicable Statutes and Which Minimize Any Significant Economic Impact on Small Entities

A detailed description of each specification alternative is provided in section 4.3 of the draft Framework 39 EA (see **ADDRESSES**), and economic analyses and impacts are provided in section 6.6.1. For the purposes of the RFA analysis (section 7.12), the Council's preferred alternative is evaluated relative to the fishing year 2024 projections for the Framework 38 preferred alternative.

The Council's preferred alternative (section 4.3.6) in Framework 39 would allocate each full-time limited access vessel 24 open area DAS and 2 access area trips (*i.e.,* 1 Area I trips at 12,000 lb (5,443 kg) and 1 Area II at 12,000 lb (5,443 kg)) amounting to 24,000 lb (10,886 kg) in fishing year 2025. This is estimated to result in about 19.75 million lb (8,958 mt) of annual projected landings after research and observer set asides are accounted for. The limited access share of 94.5 percent is approximately 17.04 million lb (7,729 mt). The LAGC IFQ share (5.5 percent allocation for both IFQ only and limited access vessels with IFQ permits) will be approximately 0.992 million lb (450 mt).

The preferred alternative (section 4.3.6) is expected to have negative impacts on the revenues and profits of small entities regulated by this action in fishing year 2025 (*i.e.,* Framework 39) compared to the primary baseline fishing year 2024 (*i.e.,* Framework 38) scenario. The decline in revenue per entity between fishing year 2024 levels and fishing year 2025 is a result of a decline in projected landings between these fishing years. Projected landings for limited access and LAGC fleets are expected to decrease by about 7.64 million lb (3,465 mt) in the Framework 39 preferred alternative compared to the analysis for 2024 provided in Framework Adjustment 38 to the FMP (89 FR 20341, March 22, 2024).

A hybrid system of DAS, trip limits, and rotational closures is used in the management of Atlantic sea scallops. This approach can result in increases and decreases in landings over time, depending on which rotational areas may be open for harvest or closed to protect small scallops and improve yield-per-recruit. Considering that rotational closures and rotational harvest are driven by underlying resource conditions (*i.e.,* level of exploitable biomass), a major driver of scallop fishery allocations is

recruitment. Due to the lack of strong incoming recruitment over the last 10 years, overall landings, and subsequent economic benefits have steadily declined since 2019.

Framework 39 economic benefits are expected to be lower when compared with the primary baseline Framework 38 preferred alternative due to recent declines in exploitable biomass, but higher when compared to the default measures. The measures proposed in this action are intended to align and optimize fishery access, in fishing year 2025, with the current resource conditions, while protecting small scallops to increase yield in future years. Under the Framework 39 preferred alternative (section 4.3.6), fleetwide revenue for the limited access vessels (including revenue from the LAGC IFQ vessels) would be lower by about $35.7 million (in 2024 dollars) compared to the preferred alternative in Framework 38. Revenue per entity for limited access vessels in fishing year 2025 under the Framework 39 preferred alternative would be lower by about $0.14 million as compared to the Framework 38 preferred alternative in fishing year 2024.

Projected landings under the alternative baseline Framework 38 default measures are estimated to be 9.16 million lb, resulting in estimated revenues of $167.45 million. The proposed measures in Framework 39, result in projected landings of 19.75 million lb, with estimated revenues of $348.25 million. Therefore, relative to the default measures that will go into effect without Framework 39, the Framework provides an increase in projected scallop revenues of $180.8 million.

The preferred alternative (section 4.3.6) would have about 9.3 percent lower revenue per entity compared to the primary baseline Framework 38 preferred alternative. The negative economic impact on entities in Framework 39 is primarily due to lower abundance and biomass, and below-average recruitment for several years, even though scallop prices are estimated to be higher during Framework 39 compared to Framework 38. Higher prices were not enough to compensate for the loss in fishing income due to the larger magnitude of the scallop landing losses. Under the preferred alternative (section 4.3.6), allocations for the LAGC IFQ fishery, including the limited access vessels with IFQ permits, will be about 29.5 percent lower than the allocation that was implemented for fishing year 2024 under Framework 38. In terms of revenue, this difference is expected to be of similar magnitude and negative for the preferred alternative relative to 2024 levels. Therefore, the Framework 39 preferred alternative will have negative economic impacts on the LAGC IFQ fishery compared to fishing year 2024 levels due to a decline in scallop landing allocation for the LAGC IFQ fleet.

The economic benefits of all the alternatives considered in this Framework, including the proposed alternative, will exceed economic benefits of the alternative baseline of No Action (*i.e.,* default specifications). The specification alternatives considered in Framework 39 differ across alternatives with each alternative allocating to the same access area allocations. Differences between the alternatives are driven by the number of DAS allocated, which ranges from 18 to 26 DAS, and the trip limit, which ranges from 10,000 lb (4,536 kg) to 14,000 lb (6,350 kg). The Council's preferred alternative, alternative 6 (section 4.3.6) (see **ADDRESSES**) would result in a higher allocation to the LA and LAGC IFQ components in 2025 compared to all other alternatives except Alternative 5 (section 4.3.5).

Framework 39 is expected to result in lower revenues compared to the primary baseline Framework 38 preferred alternative in fishing year 2024 primarily due to lower projected landings (table 12 and table 13). The percent change in revenue per business entity for Framework 39 alternatives is expected to decline by 9.3 percent compared to the Framework 38 baseline. Under the preferred alternative in Framework 39, revenues per entity with limited access permits are estimated to be below fishing year 2024 levels by about 20 percent in fishing year 2025.

Access Areas—Delayed Opening and Seasonal Closure

This action proposes two measures that would impact the timing of fishing in scallop access areas. The proposed change to open access areas on May 15, instead of April 1, as described in section 4.5 of the draft EA, is intended to align the timing of scallop fishing when scallop yield is higher. Scallop yield fluctuates seasonally, with yields on Georges Bank highest in the summer. As described in section 6.6.6.6.2 of the draft EA the economic impact of this alternative (Alternative 2) is expected to be slight positive, and slight positive relative to the current opening date, as fishing during times of improved yield would reduce trip costs compared to fishing during times of lower yield.

This action also proposes a seasonal closure of the Area II access area from November 15 to May 15 (section 4.7). The current seasonal closure (August 15–November 15) is not well aligned with times of high flatfish bycatch, and closes the area during a time of relatively high scallop yield. Changing the timing of the closure would allow scallop fishing in Area II through the end of summer and into the fall when scallop yields are still high and windowpane bycatch is lower. As described in section 6.6.1.7.2.3 the economic impacts of the seasonal closure are expected to be slight positive.

Although it is not practicable to precisely quantify the economic impact of these seasonal access area changes, one of the primary objectives is to allow for scallop fishing during the times when scallop yield is the highest.

Northern Gulf of Maine

The Council considered 4 NGOM TAL options for fishing year 2025 that ranged from 487,068 lb (216,848 kg) (option 1) to 675,563 lb (306,430 kg) (option 3). The preferred alternative (section 4.5.2) would have a higher TAL (675,563 lb, 306,430 kg) and revenue compared to the alternative 2 (option 2).

Under the sharing arrangement approved for the NGOM Management Area in Amendment 21, Framework 39 would not allocate pounds to the LAGC IFQ or limited access components for fishing year 2025 because the NGOM set-aside did not exceed 800,000 lb (362,874 kg). Therefore, this action would not have direct impacts on the limited access component.

As described in section 4.2.2.2 of the draft EA, this action also proposes to allow vessels with a limited access general category B permit to transit, with gear stowed, outside of the Northern Gulf of Maine scallop management area with scallops onboard. This would relieve a current regulatory restriction by allowing vessels additional flexibility in their landing port. As described in the draft EA (section 6.6.6.2.2) this alternative would not increase or decrease landings or revenue but would distribute landings and revenue to a broader range of fishing ports. The economic impact of this alternative would be negligible.

LAGC IFQ

The Council considered six alternatives for LAGC IFQ access area allocations. As noted above, Alternative 6, with the Council's preferred in section 4.6, would allocate 571 total trips from Area I and Area II. Under Alternative 1 (No Action), the number of total access area trips would be zero. Because Landings Per Unit of Effort (LPUE) in the open bottom is projected

to decrease in 2025, LAGC IFQ vessels may have more opportunities to target larger scallops in areas of high abundance and would likely utilize rotational trips. The preferred alternative for LAGC access area allocations would have higher economic benefits for the small business entities in the LAGC IFQ fishery compared to No Action and alternatives 2 through 4, but not alternative 5.

Research Set-Aside

The research set-aside proposed in this action is the same as 2024 (1.275 million lb (578 mt). Under the default measures used for the alternative baseline, RSA compensation fishing is limited to open areas. As described in section 4.5.2 of the draft EA, this action proposes to allow RSA compensation fishing opportunities up to 50 percent of the total available RSA compensation pounds in higher-density areas (Area I and Area II). While we cannot quantitatively estimate the economic impacts, as described in section 6.6.1.5.2 of the draft EA, this alternative is expected to result in slight positive economic impacts overall relative to the alternative baseline of no action because it would allow vessels to direct fishing effort to areas with higher concentrations of scallops. Because this option would allow directed scallop fishing on larger scallops in high densities, it could result in lower trip costs compared to open area fishing. Access to larger scallops in access areas could have a positive effect on revenues, which is an important part of the RSA program.

This action will not have a significant economic impact on a substantial number of small entities. Economic impacts of Framework 39 preferred alternatives, including fishery specifications, access area trip allocations for the limited access and LAGC IFQ fisheries, except NGOM measures, are expected to be negative for the scallop vessels and small business entities compared to the fishing year 2024 primary baseline implemented through Framework 38. This is primarily due to a decline in the projected landings which is expected to result in a $0.14 million per vessel reduction in revenues (roughly 9.3 percent reduction relative to the Framework 38 baseline). There are only seven large entities in the limited access component of the scallop fishery and impacts on scallop revenues to small entities would not be disproportionate. The economic analysis indicates that this change will not result in large-scale restructuring of the scallop fishery, closure of any businesses, or negative market effects. All entities would be impacted in a similar way from a higher projected landing allocation. A negative economic impact in Framework 39 compared to Framework 38 is primarily due to a stock recruitment condition leading to a decline in projected scallop landing. Please submit any comments concerning this IRFA in accordance with the instructions provided in the **ADDRESSES** section of this proposed rule.

TABLE 12—SCALLOP REVENUE FOR LIMITED ACCESS VESSELS IN FISHING YEAR 2025 AND PERCENT CHANGE FROM FISHING YEAR 2024

[Revenues in 2024 million dollars]

Alternatives/runs		Framework 39 alternatives							FW38's preferred alternative
Description	Unit	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6 (pref)	Status quo	(in 2024$)
		4.3.1 No action	4.3.2	4.3.3	4.3.4	4.3.5	4.3.6 Pref. alt.	4.3.7 Status quo	
Estimated scallop APL landings	mil lb	8.764	16.258	19.018	19.095	21.743	19.752	26.935	27.39
Estimated LA scallop landings (94.5% net of set asides).	mil lb	6.657	13.739	16.347	16.420	18.922	17.041	23.829	24.19
No. of Entities (Average in 2019–2023) both small and large.	Counts	154	154	154	154	154	154	154	151
Estimated revenues for scallop APL	mil dollars	$160.258	$294.745	$339.743	$336.598	$378.649	$348.249	$455.377	$397.37
Scallop revenue per Entity	mil dollars	$0.953	$1.640	$1.912	$1.860	$2.115	$1.940	$2.153	$2.13
Change in scallop revenue per entity compared to FW38 preferred alternative.	%	−55.3%	−23.0%	−10.2%	−12.7%	−0.7%	−8.9%	+1.1%	0.00%

TABLE 13—IMPACTS OF THE LAGC IFQ ALLOCATION FOR FISHING YEAR 2025

[Framework 39]

Sections	Framework 39 alternatives							Framework 38 preferred alternative
	Alt. 1 (no action)	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6 (preferred)	Status quo	
	4.3.1	4.3.2	4.3.3	4.3.4	4.3.5	4.3.6	4.3.7	
Allocation for IFQ-only vessels (5%).	352,244 lb (160 mt)	726,919 lb (330 mt)	864,929 lb (392 mt)	868,787 lb (394 mt)	1,001,174 lb (454 mt)	901,636 lb (409 mt)	1,260,769 lb (572 mt)	1,279,673 lb (580 mt).
Allocation for LA vessels with IFQ permits (0.5%).	35,224 lb (15,977 kg)	72,692 lb (32,973 kg)	86,493 lb (39,233 kg)	86,879 lb (39,408 kg)	100,117 lb (45,412 kg)	90,163 lb (40,897 kg)	126,077 lb (57,188 kg)	127,967 lb (58,045 kg).
Total Allocation for IFQ fishery (5.5%)*.	387,468 lb (176 mt)	799,611 lb (363 mt)	951,421 lb (432 mt)	955,665 lb (433 mt)	1,101,292 lb (500 mt)	991,799 lb (450 mt)	1,386,845 lb (629 mt)	1,407,641 lb (638 mt).
Percent Change in estimated landings (and revenue) per business entity from Status Quo.	−72.5%	−43.2%	−32.4%	−32.1%	−21.8%	−29.5%	−1.5%	0.0%.

*APL with set asides removed.

TABLE 14—IMPACTS OF THE PREFERRED ALTERNATIVE 2 OPTION 1 AND OTHER ALTERNATIVES FOR NGOM SCALLOP FISHERY RELATIVE TO THE ALTERNATIVE NO ACTION BASELINE

[2025 fishing year and monetary values in 2024 dollars]

	Alternative 2		Alternative 1
	4.2.1.2.1 Option 1 (preferred) F=0.18	4.2.1.2.2 Option 2 F=0.20	No action
2025 Total Allowable Landings (TAL)	712,093 lb (323 mt)	523,598 lb (238 mt).	
1 Percent NGOM ABC for Observers	11,530 lb (5 mt)	11,530 lb (5 mt).	
2025 RSA Contribution	25,000 lb (11 mt)	25,000 lb (11 mt).	
2025 NGOM Set-Aside	675,563 lb (306 mt)	487,068 lb (221 mt)	315,449 lb (143 mt).
Impacts of the NGOM Set-Aside:			
Estimated LAGC revenue	$11,970,686	$8,630,635	$5,589,621.
DAS	3,378	2,435	1,577.
Trip costs	$2,705,630	$1,950,707	$1,263,373
Revenue	$9,265,056	$6,679,928	$4,326,247.
Revenue net of No Action	$4,938,809	$2,353,681.	
Revenue net of No Action Percent	114.17%	54.39%	0.00%.

List of Subjects 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: March 12, 2025.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 648 as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

Subpart D—Management Measures for the Atlantic Sea Scallop Fishery

■ 2. In § 648.53, revise paragraphs (a)(9) and (b)(3) to read as follows:

§ 648.53 Overfishing limit (OFL), acceptable biological catch (ABC), annual catch limits (ACL), annual catch targets (ACT), annual projected landings (APL), DAS allocations, and individual fishing quotas (IFQ). (a) * * *

(9) *Scallop fishery catch limits.* The following catch limits will be effective for the 2025 and 2026 fishing years:

TABLE 2 TO PARAGRAPH (a)(9)—SCALLOP FISHERY CATCH LIMITS

Catch limits	2025 (mt)	2026 (mt) [1]
OFL	28,970	30,031
ABC/ACL (discards removed)	17,901	17,745
Incidental Landings	23	23
RSA	578	578
Observer Set-Aside	179	177
NGOM Set-Aside	306	230
ACL for fishery	16,815	16,736
Limited Access ACL	15,890	15,816
LAGC Total ACL	925	920
LAGC IFQ ACL (5 percent of ACL)	841	837
Limited Access with LAGC IFQ ACL (0.5 percent of ACL)	84	84
Limited Access ACT	13,771	13,707
APL (after set-asides removed)	8,180	([1])
Limited Access APL (94.5 percent of APL)	7,730	([1])
Total IFQ Annual Allocation (5.5 percent of APL) [2]	450	337
LAGC IFQ Annual Allocation (5 percent of APL) [2]	409	307
Limited Access with LAGC IFQ Annual Allocation (0.5 percent of APL) [2]	41	31

[1] The catch limits for the 2026 fishing year are subject to change through a future specifications action or framework adjustment. This includes the setting of an APL for 2026 that will be based on the 2025 annual scallop surveys. The 2026 default allocations for the limited access component are defined for DAS in paragraph (b)(3) of this section and for access areas in § 648.59(b)(3)(i)(B).

[2] As specified in paragraph (a)(6)(iii)(B) of this section, the 2026 IFQ annual allocations are set at 75 percent of the 2025 IFQ Annual Allocations.

(b) * * *

(3) *DAS allocations.* The DAS allocations for limited access scallop vessels for fishing years 2025 and 2026 are as follows:

TABLE 3 TO PARAGRAPH (b)(3)—SCALLOP OPEN AREA DAS ALLOCATIONS

Permit category	2025	2026 [1]
Full-Time	24	18
Part-Time	9.6	7.2
Occasional	2.0	1.5

[1] The DAS allocations for the 2026 fishing year are subject to change through a future specifications action or framework adjustment. The 2026 DAS allocations are set at 75 percent of the 2025 allocation as a precautionary measure.

* * * * *

■ 3. Amend § 648.56 by adding paragraph (i) to read as follows:

§ 648.56 Scallop research.

* * * * *

(i) Vessels on compensation fishing trips, harvesting scallops for RSA compensation, may not fish for, or land scallops except for RSA compensation. Vessels on compensation fishing trips may not fish for, or land scallops on DAS, access area allocation, or IFQ allocation.

■ 4. Amend § 648.59 by revising paragraphs (a)(2)(i), (b)(3)(i)(B), (c), (e), (g)(1), and (g)(3)(v) to read as follows:

§ 648.59 Sea Scallop Rotational Area Management Program and Access Area Program requirements. (a) * * *

(2) * * *

(i) Scallop Rotational Areas Available for Continuous Transit:

(A) Area 1 Scallop Transit Area

TABLE 1 TO PARAGRAPH (a)(2)(i)(A)

Point	Latitude	Longitude
AIT1	40°58.2′ N	68°30′ W
AIT2	40°55.8′ N	68°46.8′ W
AIT3	41°3.0′ N	68°52.2′ W
AIT4	41°0.6′ N	68°58.2′ W
AIT1	40°58.2′ N	68°30′ W

(ii) [Reserved]

(b) * * *

(3) * * *

(i) * * *

(B) The following access area allocations and possession limits for limited access vessels shall be effective for the 2025 and 2026 fishing years:

(*1*) *Full-time vessels.* (*i*) For a full-time limited access vessel, the possession limit and allocations are:

TABLE 2 TO PARAGRAPH (b)(3)(i)(B)(*1*)(*i*)

Rotational access area	Scallop possession limit	2025 Scallop allocation	2026 Scallop allocation (default) [1]
Area I	12,000 lb (5,443 kg) per trip	12,000 lb (5,443 kg)	0 lb (0 kg).
Area II	12,000 lb (5,443 kg) per trip	12,000 lb (5,443 kg)	0 lb (0 kg).
Total		24,000 lb (10,886 kg)	0 lb (0 kg).

[1] The access area allocations for the 2026 fishing year are subject to change through a future specifications action or framework adjustment.

(*ii*) [Reserved]

(*2*) *Part-time vessels.* (*i*) For a part-time limited access vessel, the possession limit and allocations are as follows:

TABLE 3 TO PARAGRAPH (b)(3)(i)(B)(*2*)(*i*)

Rotational access area	Scallop possession limit	2025 Scallop allocation	2026 Scallop allocation (default)
Area I or Area II [a]	9,600 lb (4,354 kg) per trip	9,600 lb (4,354 kg)	0 lb (0 kg).
Total		9,600 lb (4,354 kg)	0 lb (0 kg).

[a] Allocation can be fished in either Area I and/or Area II Access Areas.

(*ii*) [Reserved]

(*3*) *Occasional limited access vessels.* (*i*) For the 2025 fishing year only, an occasional limited access vessel is allocated 2,000 lb (907 kg) of scallops with a trip possession limit at 2,000 lb of scallops per trip (907 kg per trip). Occasional limited access vessels may harvest the 2,000 lb (907 kg) allocation from Area I or Area II Access Areas.

(*ii*) For the 2026 fishing year, occasional limited access vessels are not allocated scallops in any rotational access area.

* * * * *

(c) *Scallop Access Area scallop allocation carryover.* With the exception of vessels that held a Confirmation of Permit History as described in § 648.4(a)(2)(i)(J) for the entire fishing year preceding the carry-over year, a limited access scallop vessel may fish any unharvested Scallop Access Area allocation from a given fishing year within the first 60 days the access area is open in the subsequent fishing year, unless otherwise specified in this section. However, the vessel may not exceed the Scallop Rotational Area trip possession limit. For example, if a full-time vessel has 7,000 lb (3,175 kg) remaining in the Area II Access Area at the end of fishing year 2024, that vessel may harvest those 7,000 lb (3,175 kg) during the first 60 days that the Area II Access Area is open in fishing year 2025 (May 15, 2025, through July 13, 2025).

* * * * * (e) *Sea Scallop Research Set-Aside Harvest in Scallop Access Areas.* Unless otherwise specified, RSA may be harvested in any access area that is open in a given fishing year, as specified through a specifications action or framework adjustment and pursuant to § 648.56. The amount of scallops that can be harvested in each access area by vessels participating in approved RSA projects shall be determined through the RSA application review and approval process. The access areas open for RSA harvest for fishing years 2025 and 2026 are:

(1) *2025.* Area I and II Scallop Rotational Access Areas.

(2) *2026.* No access areas.

* * * * *

(g) * * *

(1) An LAGC scallop vessel may only fish in the scallop rotational areas specified in § 648.60 or in paragraph (g)(3)(iv) of this section, subject to any additional restrictions specified in § 648.60, subject to the possession limit and access area schedule specified in the specifications or framework adjustment processes defined in § 648.55, provided the vessel complies with the requirements specified in paragraphs (b)(1) through (2), (b)(6) through (9) and (d) through (g) of this section. A vessel issued both a NE multispecies permit and an LAGC scallop permit may fish in an approved SAP under § 648.85 and under multispecies DAS in the Area II and Area I, Scallop Rotational Areas specified in § 648.60, when open, provided the vessel complies with the requirements specified in § 648.59 and this paragraph (g), but may not fish for, possess, or land scallops on such trips.

* * * * *

(3) * * *

(v) *LAGC IFQ access area allocations.* The following LAGC IFQ access area trip allocations will be effective for the 2025 and 2026 fishing years:

TABLE 3 TO PARAGRAPH (g)(3)(v)

Scallop access area	2025	2026 [a]
Area I/Area II [b]	571	0
Total	571	0

[a] The LAGC IFQ access area trip allocations for the 2026 fishing year are subject to change through a future specifications action or framework adjustment.

[b] LAGC Access Area trips can be taken in any of the available areas until Regional Administrator determines that the total number of LAGC IFQ trips have been or are projected to be taken.

* * * * *

■ 5. Amend § 648.60 by:

■ a. Revising paragraphs (a) and (b)(2);

■ b. Removing and reserving paragraphs (c) and (d);

■ d. Revising paragraph (g);

■ e. Adding paragraph (h); and

■ f. Removing and reserving paragraph (j).

The revisions and additions read as follows:

§ 648.60 Sea Scallop Rotational Areas.

(a) *Area I—Rotational Area*—(1) *Area I—Rotational Area definition.* The Area I Rotational Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

TABLE 1 TO PARAGRAPH (a)(1)

Point	Latitude	Longitude
AI1	40°55.0′ N	68°53.4′ W
AI2	41°30.0′ N	69°23.0′ W
AI3	41°30.0′ N	68°30.0′ W
AI4	40°58.0′ N	68° 30.0′ W
AI1	40°55.0′ N	68°53.4′ W

(2) *Season.* A vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Area I Scallop Rotational Access Area, defined in paragraph (a)(1) of this section, during the period from April 1 to May 15 of each year the Area I Access Area is open to scallop vessels, unless transiting pursuant to § 648.59(a).

(b) * * *

(2) *Season.* (i) A vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Area II Scallop Rotational Access Area, defined in paragraph (b)(1) of this section, during the period of November 15 to May 15 of each year the Area II Access Area is open to scallop vessels, unless transiting pursuant to § 648.59(a).

(ii) [Reserved]

(g) *Nantucket Lightship Scallop Rotational Area*—(1) *Nantucket Lightship Scallop Rotational Area definition.* The Nantucket Lightship Scallop Rotational Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

TABLE 3 TO PARAGRAPH (g)(1)

Point	Latitude	Longitude
NL1	40°20.0′ N	69°30.0′ W
NL2	40°20.0′ N	68°48.0′ W
NL3	40°33.0′ N	68°48.0′ W
NL4	40°33.0′ N	69°00.0′ W
NL5	40°50.0′ N	68°60.0′ W
NL6	40°50.0′ N	69°30.0′ W
NL1	40°20.0′ N	69°30.0′ W

(2) [Reserved]

(h) *Elephant Trunk Scallop Rotational Area*—(1) *Elephant Trunk Scallop Rotational Area definition.* The Elephant Trunk Scallop Rotational Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

TABLE 4 TO PARAGRAPH (h)(1)

Point	Latitude	Longitude
ET1	38°50.0′ N	74°20.0′ W
ET2	38°50.0′ N	73°30′.0 W
ET3	38°10.0′ N	73°30.0′ W
ET4	38°10.0′ N	74°20.0′ W
ET1	38°50.0′ N	74°20.0′ W

(2) [Reserved]

* * * * *

■ 6. In § 648.62, revise paragraph (a)(1), add paragraph (a)(4), and revise paragraph (b)(1) to read as follows:

§ 648.62 Northern Gulf of Maine (NGOM) Management Program.

(a) * * *

(1) A vessel fishing under a NGOM scallop permit may only fish for scallops in the NGOM scallop management area.

* * * * *

(4) A vessel issued a NGOM scallop permit may possess scallops outside the NGOM management unit if all fishing gear is stowed and not available for immediate use as defined in § 648.2.

* * * * *

(b) * * *

(1) The following landings limits will be effective for the NGOM for the 2025 and 2026 fishing years.

TABLE 1 TO PARAGRAPH (b)(1)

Landings limits	2025	2026 [a]
NGOM TAL	712,093 lb	534,070 lb.
1 percent NGOM ABC for Observers	11,530 lb	11,530 lb.
RSA Contribution	25,000 lb	25,000 lb.
NGOM Set-Aside	675,563 lb	506,672 lb.
NGOM APL	[c]	[c].

[a] The landings limits for the 2026 fishing year are subject to change through a future specifications action or framework adjustment.
[b] The catch limits for the 2026 fishing year are subject to change through a future specifications action or framework adjustment. This includes the setting of an APL for 2026 that will be based on the 2024 annual scallop surveys.
[c] NGOM APL is set when the NGOM Set-Aside is above 800,000 lb (362,874 kg).

* * * * *

[FR Doc. 2025–04276 Filed 3–14–25; 11:15 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 90, No. 51
Tuesday, March 18, 2025

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–LP–24–0072]

United States Classes, Standards, and Grades for Poultry

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice, extension of comment period.

SUMMARY: This document extends the comment period of the January 16, 2025, notice and request for comments on revisions to the United States Classes, Standards, and Grades for Poultry (the Poultry Standards). The last minor revision to the Poultry Standards occurred in 2018, but the last substantial revision prior to that occurred in 1998. Since then, poultry production and quality assessment methods have changed significantly, as have consumer preferences.

DATES: The comment period for the notice originally published on January 16, 2025 (90 FR 4712) is extended for 60 days. Comments must be submitted on or before May 16, 2025.

FOR FURTHER INFORMATION CONTACT: Samantha Rhoderick, National Poultry Supervisor, Livestock and Poultry Program, phone (202) 603–9025; or email at *Samantha.Rhoderick@usda.gov.*

SUPPLEMENTARY INFORMATION: A Notice published in the **Federal Register** on January 16, 2025 (90 FR 4712), seeks public feedback on revisions that will ensure that the Poultry Standards keep pace with modernization and continue to serve the needs of industry and consumers.

The Notice established a 60-day comment period, ending March 17, 2025. During the initial comment period, AMS received a request from a U.S. trade association that advocates for companies that raise and process chickens for an extension of the comment period. AMS is extending the comment period related to the Notice by an additional 60 days. Comments must be submitted on or before May 16, 2025.

Melissa Bailey,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2025–04545 Filed 3–14–25; 11:15 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Forest Service

Bend-Fort Rock Ranger District; Deschutes National Forest; Deschutes County Oregon; Twin Vegetation Management and Restoration Project; Withdrawal

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice; withdrawal.

SUMMARY: The Forest Service is withdrawing its notice of intent to prepare an environmental impact statement for the Twin Vegetation Management and Restoration Project on the Bend-Fort Rock Ranger District.

FOR FURTHER INFORMATION CONTACT: Questions concerning this notice should be directed to Bend-Fort Rock District Ranger, Kevin Stock, by email at *kevin.stock@usda.gov* or by phone (541) 410–2415.

Individuals who use telecommunications devices for the hearing impaired may call 711 to reach the Telecommunications Relay Service, 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: The Forest Service published a notice of intent to prepare an environmental impact statement in the **Federal Register** on June 8, 2018, 83 FR 26642. Based on a review of the project scope and refining of proposed actions to better fit the needs of the project area, the Forest Service has made the decision to withdraw the notice.

JoLynn D. Anderson,

Agency Federal Register Officer.

[FR Doc. 2025–04391 Filed 3–17–25; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–16–2025]

Foreign-Trade Zone (FTZ) 205, Notification of Proposed Production Activity; Rincon Power, LLC; (Contactors, Relays and Switches); Carpinteria, California

Rincon Power, LLC submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Carpinteria, California within FTZ 205. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on March 10, 2025.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.*

The proposed finished products include: contactors and relays for switching power at voltages exceeding 1000 volts; contactors and relays for switching power at voltages not exceeding 1000 volts; battery disconnect rotary isolation switches for power at voltages exceeding 1000 volts; current sensors with fluxgate; hardware kits including: nuts, washers, lock washers for relays contactors and rotary isolation switches; wire harnesses for relays, contactors and rotary isolation switches; mounting brackets for relays, contactors and rotary isolation switches; and, custom formed gaskets and grommet seals, for contactors, relays and rotary isolation switches (duty rate ranges from duty-free to 2.7%).

The proposed foreign-status materials/components include: custom formed o-rings, gaskets and grommet seals (made of synthetic rubber, silicone rubber, or silicone foam rubber); gasket seals (made of polyimide with acrylic adhesive); gasket seals, cut or formed from polyimide or polytetrafluoroethylene sheets; custom formed ceramic magnets, Neodymium magnets, electromagnetic components including, coils, bobbins, flux tubes,

plungers, top cores, bottom cores, outer cores or cans, magnet bridges or holders, and shafts; switch sub-assemblies, for voltages not exceeding 1,000 volts; switch sub-assemblies, for voltages exceeding 1,000 volts; micro switches for auxiliary power; custom formed copper busbars; custom printed circuit board assemblies for use in contactors, relays, or rotary isolation switches; custom plastic molded components in the form of housings including tops, bottoms, bases, caps and covers; custom plastic or ceramic molded components in the form of arc chambers including envelope tops and bottoms, shaft guides or bushings; custom plastic molded components for incorporating auxiliary micro switches including brackets and carriers; custom plastic molded components in the form of connector housings including shells and plugs; custom plastic molded components in the form of handles including bezels, shrouds, caps, covers, and levers; custom formed moveable contact bars of copper, silver tin oxide, tungsten, tellurium, glidcop, or molybdenum; headers, custom formed and brazed isolator subassemblies with ceramic and metal alloy components including glidcop, copper, tellurium, tungsten, silver tin oxide, steel, or kovar; custom formed actuator components in the form of springs, bellows, shafts, slide bearings, auxiliary arms, plunger rods, and spacers; and, custom machined arc chamber isolators of ceramic (duty rate ranges from duty-free to 5.8%). The request indicates that the materials/components are subject to duties under section 1702(a)(1)(B) of the International Emergency Economic Powers Act (section 1702) and section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702 and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is April 28, 2025.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Christopher Wedderburn at *Chris.Wedderburn@trade.gov.*

Dated: March 13, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–04433 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–57–2024]

Foreign-Trade Zone (FTZ) 144; Authorization of Production Activity; Corteva Agriscience, LLC; (Crop Protection Products); Valdosta, Georgia

On November 14, 2024, Corteva Agriscience, LLC submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 144A, in Valdosta, Georgia.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (89 FR 92090, November 21, 2024). On March 14, 2025, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including section 400.14.

Dated: March 14, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–04574 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE750]

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Center of Independent Experts (CIE) review of the Eastern Bering Sea walleye pollock stock assessment will be held in May.

DATES: The meeting will be held on Tuesday, May 20, 2025, through May 23, 2025 inclusive, from 10 a.m. to 5 p.m., Pacific Time.

ADDRESSES: The meeting will be in-person only and will be held in the Traynor conference room at the Alaska Fishery Science Center, Sand Point Way NE, Building 4, Seattle, WA 98115. If you plan to attend, you need to notify Jim Ianelli (*jim.ianelli@noaa.gov*) at least two days prior to the meeting (or two weeks prior if you are a foreign national). You will also need a valid U.S. Identification Card.

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Anchorage, AK 99501–2252; telephone: (907) 271–2809.

FOR FURTHER INFORMATION CONTACT: Jim Ianelli, Alaska Fishery Science Center staff; phone: (206) 679–6674; email: *jim.ianelli@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Agenda

Tuesday, May 20, 2025, Through Friday, May 23, 2025

The CIE will review the eastern Bering Sea walleye pollock stock assessment. The agenda is subject to change, and the latest version will be posted at *https://apps-afsc.fisheries.noaa.gov/Plan_Team/2025_EBS_pollock_cie/* prior to the meeting, along with meeting materials.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04423 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE775]

South Atlantic Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of the Snapper Grouper Advisory Panel (AP) April 2–3, 2025, in Charleston, SC.

DATES: The Snapper Grouper AP will meet April 2, 2025, from 9 a.m. until 5 p.m. and April 3, 2025, from 9 a.m. until 5 p.m.

ADDRESSES: *Meeting address:* Crowne Plaza Hotel Charleston, 4831 Tanger Outlet Blvd., N Charleston, SC 29418; phone: (843) 744–4422.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, SAFMC; phone: (843) 571–4366 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *kim.iverson@safmc.net.*

SUPPLEMENTARY INFORMATION: Meeting information, including the agenda, overview, briefing book materials, and an online public comment form will be posted on the Council's website at: *https://safmc.net/advisory-panel-meetings/* two weeks prior to the meeting. The meeting is open to the public and available via webinar as it occurs. The webinar registration link will be available from the Council's website. Public comment will also be taken during the meeting.

The agenda for the Snapper Grouper AP meeting includes: updating the Fishery Performance Report for gag; recommending stock risk ratings for gag and black sea bass; discussion of management changes considered for black sea bass, golden tilefish, and for-hire reporting; an exercise to help design the Council's Lines of Communication stakeholder meetings; review of the Council's 2023–2027 Research and Monitoring Plan; and a presentation on research conducted in South Atlantic Spawning Special Management Zones. The AP will also receive updates on the developing or upcoming amendments to the Snapper Grouper Fishery Management Plan for the South Atlantic, provide input and recommendations on agenda items for the Council's consideration, and address other items as needed.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 3 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04426 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE696]

Marine Mammals; File No. 28912

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Daniel Costa, Ph.D., University of California at Santa Cruz, 130 McAlister Way, Santa Cruz, CA 95060, has applied in due form for a permit to conduct research on California sea lions (*Zalophus californianus*).

DATES: Written comments must be received on or before April 17, 2025.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 28912 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 28912 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Sara Young or Shasta McClenahan, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant proposes to conduct research on California sea lions throughout their range to investigate their foraging ecology, habitat use, and health. Proposed activities include: unmanned aircraft system, vessel and ground surveys for counts, photography, observations, and acoustic playbacks; captures, including sedation, anesthesia, restraint, morphometrics, marking, external instrument attachment, biological sampling, and ultrasound; and collection, import, export, and receipt of pinniped parts. The applicant requests up to three unintentional mortalities annually, not to exceed 20 over the duration of the permit. Ten non-target species of non-ESA listed cetaceans and four non-target non-ESA listed species of pinnipeds may be disturbed during these studies. See the application for complete numbers of animals requested by species and procedure. The requested duration of this permit is 10 years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: March 13, 2025.

Amy Sloan,

Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–04434 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE768]

Fisheries of the U.S. Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 101 Pre-Data Workshop Webinar for Highly Migratory Species (HMS) Sandbar Sharks.

SUMMARY: The SEDAR 101 assessment process of HMS sandbar sharks will consist of a Data Workshop, an Assessment Workshop and a Center for Independent Experts (CIE) Desk Review. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 101 Pre-Data Workshop webinar will be held April 7, 2025, from 10 a.m. to 12 p.m., Eastern Time.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Emily Ott at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Emily Ott, SEDAR Coordinator; (843) 302–8434; email: *Emily.Ott@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars or Assessment Workshop, and (3) A Review Workshop or CIE Desk Review. The product of the Data Workshop is a report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars or Assessment Workshop produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the pre-Data Workshop webinar are as follows:

Participants will discuss what data may be available for use in the assessment.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04427 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Collection of High-Resolution Spatial and Temporal Fishery Dependent Data to Support Scientific Research

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before May 19, 2025.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *NOAA.PRA@noaa.gov.* Please reference OMB Control Number 0648–0803 in the subject line of your comments. All comments received are part of the public record and will generally be posted on *https://www.regulations.gov* without change. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Katie Burchard, Marine Resources Management Specialist, Northeast Fisheries Science Center, 28 Tarwell Drive, Narragansett Rhode Island, 401–299–9587, *Katie.Burchard@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This is an extension of an existing information collection with no changes.

Commercial fishers from the Northeast and Mid-Atlantic will collaborate with NOAA Fisheries, Northeast Fisheries Science Center (NEFSC) Cooperative Research Branch, to voluntarily collect detailed fishery-dependent data during commercial fishing trips. Collection of information regarding commercial fisheries is necessary to fulfill the following statutory requirements: the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Fishers will use the Fisheries Logbook Data Reporting Software (FLDRS) to collect high-resolution information on fishing effort and catch. The goal is to enable fishers to collect more accurate and precise data on where and how many fish are caught, and how much effort was expended. This high-resolution data will lead to improved accuracy of commercial fisheries data and better understanding of fishery dynamics. The FLDRS software was designed to record data at the haul (effort) level, similar to the level of data collected by the Northeast Fisheries Observer Program (NEFOP), but can be used to collect sub-trip level data and is approved for federal Electronic Vessel Trip Reporting (eVTR). FLDRS can be integrated with Global Positioning Systems (GPS), Vessel Monitoring Systems (VMS), depth sounders, and temperature/depth sensors. The FLDRS software can use the VMS to transmit a trip data file to NEFSC email account where it is ultimately uploaded to NEFSC database. Alternatively, the vessel operator can choose to manually upload trip files using the web-based application Vessel Electronic Reporting Web Portal (VERS).

Temperature and Depth (TD) data will be collected opportunistically and dependent on fisher interest. TD probes will be used to monitor the duration of time gear is fished in addition to collecting temperature and depth data. The high-resolution catch data in

conjunction with temperature depth data can be used to validate oceanographic and habitat models to produce oceanographic and species density forecasts for fishers. These species-specific density forecast can be used as a tool while fishing to maximize efficiency and avoid limited stocks.

By collecting these data, we are improving the data available to support improved understanding of population, ecosystem, and fishery dynamics in the northeast region. These improved understandings help the Northeast Fisheries Science Center inform management so they can meet the standards laid out in the Magnuson Stevens Act. Without working with the fishing industry to collect these data, we are severely restricting our access to the best available data to support needed research that informs management decisions.

II. Method of Collection

There will be an onboarding paper registration process consisting of filling out and signing a resume document, data waiver, and non-disclosure agreement that can be mailed or faxed to the Northeast Fisheries Science Center (NEFSC) Cooperative Research Branch.

Fishery dependent data outside of temperature depth data will be collected electronically on a dedicated laptop using the NEFSC Fisheries Logbook Data Reporting Software (FLDRS). The data collected is encrypted and is either wirelessly transmitted via Vessel Electronic Reporting Web Portal or VMS to the NEFSC or manually collected routinely by Cooperative Research Staff.

Temperature and Depth (TD) data is collected opportunistically and dependent on fisher interest. The TD data is routinely retrieved from the vessel manually by Cooperative Research Branch staff.

Data can be viewed, uploaded, downloaded, and edited by the vessel owner and vessel owner approved representatives on a secure web-based application called the Vessel Electronic Reporting Web Portal (VERS).

III. Data

OMB Control Number: 0648–0803.

Form Number(s): None.

Type of Review: Extension of a current information collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 15.

Estimated Time per Response: 50 minutes per day for vessels collecting trip level data.

Estimated Total Annual Burden Hours: 1,752.

Estimated Total Annual Cost to Public: $800 equipment.

Respondent's Obligation: Voluntary.

Legal Authority: Collection of information regarding commercial fisheries is necessary to fulfill the following statutory requirements: the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this information collection request. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–04410 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE780]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will convene three Stock Assessment Review (STAR) Panel meetings to review 2025 stock assessments for yellowtail rockfish in the area North of 40°10′ N, latitude, chilipepper rockfish, quillback rockfish off California, rougheye/blackspotted rockfish, and sablefish. The meetings will be co-hosted by the NMFS Northwest and Southwest Fisheries Science Centers. STAR panel meetings are open to the public and being conducted in person with a web broadcast that provides the opportunity for remote listening and public comment.

DATES: The STAR panel meeting (STAR Panel 1) to review a new assessment for yellowtail rockfish in the area North of 40°10′ N, latitude will be held Monday, May 19, 2025, from 9 a.m. until 5 p.m. (Pacific Time), and will continue from May 20 through May 23, 2025, from 9 a.m. to 12 p.m., each day, or until business for each day has been completed.

The STAR panel meeting (STAR Panel 2) to review new assessments for chilipepper rockfish and quillback rockfish off California will be held Monday, June 23, 2025 and will continue through Friday, June 27, 2025, from 8:30 a.m. until 5 p.m. (Pacific Time), each day, or until business for the day has been completed.

The STAR panel meeting (STAR Panel 3) to review new assessments for rougheye/blackspotted rockfish and sablefish will be held Monday, July 14, 2025 and will continue through Friday, July 18, 2025, from 8:30 a.m. until 5 p.m. (Pacific Time) or until business for the day has been completed.

ADDRESSES: The STAR panel for yellowtail rockfish in the area North of 40°10′ N, latitude (STAR Panel 1), will be held at the Watertown Hotel, 4242 Roosevelt Way NE, Seattle, WA 98105; telephone: (206) 826–4242.

The STAR panel for chilipepper rockfish and quillback rockfish off California (STAR Panel 2) will be held at the National Marine Fisheries Service, Southwest Fisheries Science Center, Santa Cruz Laboratory, 110 McAllister Way, Santa Cruz, CA 95060; telephone: (831) 420–3900.

The STAR panel for rougheye/blackspotted rockfish and sablefish (STAR Panel 3), will be held at the University of Washington, School of Aquatic and Fishery Sciences (SAFS) Room 203, 1122 NE Boat Street, Seattle, WA 98195; telephone: (206) 543–4270.

These meetings are being conducted in person with a web broadcast that provides the opportunity for remote public comment. Specific meeting information, materials, visitor protocols, and instructions for how to connect to the meeting remotely will be provided in the meeting announcement on the Pacific Council's website (see *www.pcouncil.org*). In the event an outage occurs, or technical issues arise that impact the experience of remote attendees, we will attempt to resolve them but ultimately, we cannot guarantee that they will be resolved satisfactorily.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Dr. Owen Hamel, NMFS Northwest Fisheries Science Center, telephone: (206) 860–3481, email: *owen.hamel@noaa.gov;* Dr. John Field, NMFS Southwest Fisheries Science Center, telephone: (831) 420–3907, email: *john.field@noaa.gov;* or Marlene A. Bellman, Staff Officer, Pacific Council; telephone: (503) 820–2414, email: *marlene.bellman@pcouncil.org.*

SUPPLEMENTARY INFORMATION: The purpose of the STAR Panels is to review draft 2025 stock assessment models, documents, and any other pertinent information for yellowtail rockfish in the area North of 40°10′ N, latitude, chilipepper rockfish, quillback rockfish off California, rougheye/blackspotted rockfish, and sablefish; work with the Stock Assessment Teams to make necessary revisions; and produce STAR Panel reports for use by the Pacific Council and other interested persons for developing management recommendations for fisheries in 2027 and beyond. The review panels will consist of members of the Pacific Council's Scientific and Statistical Committee's Groundfish Subcommittee, at least one independent expert from the Center for Independent Experts, and other invited expert reviewers. Representatives of the Pacific Council's Groundfish Management Team and the Groundfish Advisory Subpanel will also participate in the review as advisers.

No management actions will be decided by the STAR Panels. The STAR Panel participants' role will be the development of recommendations and reports for consideration by the Pacific Council at its September 2025 meeting in Spokane, WA.

Although non-emergency issues not contained in the meeting agendas may be discussed, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Visitors to the NMFS Southwest Fisheries Science Center will need to obtain a visitor badge. Visitor protocols will be provided in the meeting announcement on the Pacific Council's website (see *www.pcouncil.org*).

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org;* (503) 820–2412 at least 10 days prior to the meeting date.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04442 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE774]

Pacific Fishery Management Council; Public Hearings

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

ACTION: Notice of public meeting, hearings, and public comment opportunities.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will convene two public hearings regarding the trawl catch share program review.

DATES: The hearings will be held on Thursday, April 24, 2025, from 1 p.m. to 4 p.m., Pacific Time (PT) and Monday, April 28, 2025, from 5:30 p.m. to 8:30 p.m., PT. Hearing times are an estimate, hearings will end when business for the day has been completed.

ADDRESSES: The first hearing on April 24, 2025, will be held online. The second hearing on April 28, 2025, will be held in Astoria, OR. Meeting location and specifics will be posted on the Pacific Council's website (*www.pcouncil.org*) when available.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Jessi Waller, Pacific Council; telephone: (503) 820–2415.

SUPPLEMENTARY INFORMATION: Periodic reviews of catch shares program are required by the Magnuson-Stevens Fishery Conservation and Management Act. The Pacific Council initiated its second review of the trawl catch share program in 2022 and is scheduled to receive a preliminary draft of the review document in September 2025. The two hearings will provide a general briefing on the state of the catch share program since the last review completed in 2017 and provide an opportunity for stakeholder feedback on how the program is performing.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during these hearings. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org;* (503) 820–2412) at least 10 days prior to the hearing date.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04425 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE769]

Fisheries of the US Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of SEDAR 101 Data Workshop for Highly Migratory Species (HMS) Sandbar Sharks.

SUMMARY: The SEDAR 101 assessment process for HMS sandbar sharks will consist of a Data Workshop, an Assessment Workshop, and a Center for Independent Experts (CIE) desk review. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 101 Data Workshop will be held from 8:30 a.m. May 12, 2025 until 2 p.m. on May 16, 2025. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES:

Meeting address: The SEDAR 101 Data Workshop will be held at the Northeast Fishery Science Center Narragansett Lab, 28 Tarzwell Drive Narragansett, RI 02882.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Emily Ott, SEDAR Coordinator; (843) 302–8434; email: *Emily.Ott@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data/Assessment Workshop, and (2) a series of webinars. The product of the Data/Assessment Workshop is a report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses, and describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion in the Data Workshop are as follows:

An assessment data set and associated documentation will be developed during the workshop.

Participants will evaluate proposed data and select appropriate sources for providing information on life history characteristics, catch statistics, discard estimates, length and age composition, and fishery dependent and fishery independent measures of stock abundance.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04424 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE770]

Fisheries of the U.S. Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 90 Pre-Data Workshop Webinar for South Atlantic Red Snapper.

SUMMARY: The SEDAR 90 assessment process of South Atlantic Red Snapper will consist of a Data Workshop, and a series of assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 90 Pre-Data Workshop webinar will be held April 9, 2025, from 10 a.m. to 2 p.m., eastern time.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Emily Ott at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Emily Ott, SEDAR Coordinator; (843) 302–8434; email: *Emily.Ott@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars, and (3) A Review Workshop. The product of the Data Workshop is a report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and

database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the pre-Data Workshop webinar are as follows:

Participants will discuss what data may be available for use in the assessment.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: March 13, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04420 Filed 3–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Inland Waterways Users Board Meeting Cancellation Notice

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of cancellation of Federal advisory committee meeting.

SUMMARY: The Department of the Army published a notice in the **Federal Register** March 6, 2025, concerning a meeting of the Inland Waterways Users Board (Board). The meeting scheduled for Thursday, April 3, 2025, in Paducah, KY from 9:00 a.m. to 1:00 p.m. CDT on April 3, 2025, is cancelled. The Department of the Army will reassess whether this meeting can be rescheduled for a future date.

FOR FURTHER INFORMATION CONTACT: Mr. Paul D. Clouse, the Designated Federal Officer for the committee, by email at *Paul.D.Clouse@usace.army.mil* or by telephone at 202–768–3157.

SUPPLEMENTARY INFORMATION: The meeting notice was published in the **Federal Register** on March 6, 2025 (90 FR 11407) as FR document 2025–03599.

Stephen L. Hill,

Director, Operations and Regulatory Programs.

[FR Doc. 2025–04394 Filed 3–17–25; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Nevada

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an online virtual meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Nevada. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Wednesday, April 16, 2025; 4–8:05 p.m. PDT; The opportunity for public comment is at 4:10 p.m. PDT. This time is subject to change; please contact the Nevada Site Specific Advisory Board (NSSAB) Administrator (below) for confirmation of time prior to the meeting.

ADDRESSES: To attend virtually, please contact Barbara Ulmer, NSSAB Administrator, by email *nssab@emcbc.doe.gov* or phone (702) 523–0894, no later than 1 p.m. PDT on Monday, April 14, 2025.

FOR FURTHER INFORMATION CONTACT: Barbara Ulmer, NSSAB Administrator, by phone: (702) 523–0894 or email: *nssab@emcbc.doe.gov* or visit the Board's internet homepage at *www.nnss.gov/NSSAB/*.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on any EM program components.

Tentative Agenda:

1. Public Comment Period
2. Update from Deputy Designated Federal Officer
3. Update from National Nuclear Security Administration/Nevada Field Office
4. Updates from NSSAB Liaisons
5. Presentations to the Board

Public Participation: The online virtual meeting is open to the public via Microsoft Teams. Written public comment may be filed with the NSSAB Administrator via email either before or after the meeting. Written comments received before 1 p.m. PDT on Monday, April 14, 2025, will be provided to the board members prior to the meeting. Written comments will be accepted after the meeting until Friday, April 25, 2025. Please submit written comments to *nssab@emcbc.doe.gov*. Individuals who wish to make oral comments during the meeting can do so in 2-minute segments for the 15 minutes allotted for public comments. The Deputy Designated Federal Officer (DDFO) is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of committee members or participants by the public is not permitted except with the approval of the DDFO and chairperson.

Minutes: Minutes will be available by writing or calling Barbara Ulmer, NSSAB Administrator, Navarro Research and Engineering, Inc., contracted to the U.S. Department of Energy, EM Nevada Program, 100 North City Parkway, Suite 1750, Las Vegas, NV 89106; Phone: (702) 523–0894. Minutes will also be available at the following website: *https://www.nnss.gov/nssab/nssab-meetings/*.

Signing Authority: This document of the Department of Energy was signed on March 12, 2025, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on March 12, 2025.

Jennifer Hartzell,

Alternate Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–04318 Filed 3–17–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–697–000.
Applicants: Empire Pipeline, Inc.
Description: § 4(d) Rate Filing: Fuel Tracker (Empire Tracking Supply Storage 2025) to be effective 4/1/2025.
Filed Date: 3/10/25.
Accession Number: 20250310–5099.
Comment Date: 5 p.m. ET 3/24/25.

Docket Numbers: RP25–698–000.
Applicants: National Fuel Gas Supply Corporation.
Description: § 4(d) Rate Filing: Negotiated Rate for Diversified to be effective 4/1/2025.
Filed Date: 3/10/25.
Accession Number: 20250310–5160.
Comment Date: 5 p.m. ET 3/24/25.

Docket Numbers: RP25–700–000.
Applicants: Horizon Pipeline Company, L.L.C.
Description: § 4(d) Rate Filing: Negotiated Rate 5 Agreement Filing—March 2025 to be effective 4/1/2025.
Filed Date: 3/10/25.
Accession Number: 20250310–5270.
Comment Date: 5 p.m. ET 3/24/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP25–480–001.
Applicants: WBI Energy Transmission, Inc.
Description: Compliance filing: RP25–480–000 NAESB 4.0 Amendment Filing to be effective 8/1/2025.
Filed Date: 3/10/25.
Accession Number: 20250310–5175.
Comment Date: 5 p.m. ET 3/24/25.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *https://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: March 11, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04311 Filed 3–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2137–028; ER14–2799–019; ER10–2138–029; ER10–2139–029; ER10–2140–028; ER10–2141–028; ER14–2187–022; ER21–258–005.
Applicants: Todd Solar LLC, Grand Ridge Energy Storage LLC, Grand Ridge Energy V LLC, Grand Ridge Energy IV LLC, Grand Ridge Energy III LLC, Grand Ridge Energy II LLC, Beech Ridge Energy Storage LLC, Beech Ridge Energy LLC.
Description: Response to 06/28/2023, Triennial Market Power Analysis for Northeast Region of Beech Ridge Energy LLC, et al.
Filed Date: 3/6/25.
Accession Number: 20250306–5287.
Comment Date: 5 p.m. ET 3/27/25.

Docket Numbers: ER25–700–002.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 4268R1 Blue Valley Grid GIA—Second Amended Filing to be effective 12/3/2024.
Filed Date: 3/11/25.
Accession Number: 20250311–5094.
Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1546–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Original GIA, Service Agreement No. 7582; AG1–508 to be effective 2/6/2025.
Filed Date: 3/10/25.
Accession Number: 20250310–5280.
Comment Date: 5 p.m. ET 3/31/25.

Docket Numbers: ER25–1549–000.
Applicants: Virginia Electric and Power Company.
Description: § 205(d) Rate Filing: Virginia Electric and Power Company submits Construction Agreement, SA No. 7504 to be effective 5/12/2025.
Filed Date: 3/11/25.
Accession Number: 20250311–5120.
Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1550–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: § 205(d) Rate Filing: Amendment to Rate Schedule FERC No. 35 to be effective 5/11/2025.
Filed Date: 3/11/25.
Accession Number: 20250311–5170.
Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1551–000.
Applicants: Duke Energy Indiana, LLC.
Description: § 205(d) Rate Filing: DEI—Canadian Solar Facilities Service Agreement RS No. 286 to be effective 5/11/2025.
Filed Date: 3/11/25.
Accession Number: 20250311–5183.
Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1552–000.
Applicants: New York Independent System Operator, Inc., Niagara Mohawk Power Corporation.
Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: NYISO-National Grid Joint 205: SGIA Millers Grove Solar SA2868 to be effective 2/25/2025.
Filed Date: 3/11/25.
Accession Number: 20250311–5215.
Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1553–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: § 205(d) Rate Filing: Initial Filing of Rate Schedule FERC No. 404 to be effective 5/11/2025.

Filed Date: 3/11/25.

Accession Number: 20250311–5240.

Comment Date: 5 p.m. ET 4/1/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: March 11, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04313 Filed 3–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each filing may be viewed on the Commission's website at *http://www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket Nos.	File date	Presenter or requester
Prohibited:		
NONE.		
Exempt:		
P–14851–003	2/27/2025	FERC Staff.[1]

Dated: March 11, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04312 Filed 3–17–25; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0718; FR ID 285346]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of

[1] Written communication dated 2/21/2025 from Gracian Uhalde from N–4 State Grazing Board.

information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before May 19, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0718.

Title: Part 101 Rule Sections Governing the Terrestrial Microwave Fixed Radio Service.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local, or tribal government.

Number of Respondents: 9,000 respondents; 33,979 responses.

Estimated Time per Response: 0.25–2.85 hours.

Frequency of Response: On occasion and every 10 year reporting requirements, third party disclosure requirement, and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154(i), 301, 303(f), 303(g), 303(r), 307, 308, 309, 310, and 316.

Total Annual Burden: 37,901 hours.

Total Annual Cost: $1,526,663.

Needs and Uses: The Commission will submit this information collection to the Office of Management and Budget for a three-year extension of OMB Control Number 3060–0718. Part 101 rule sections require respondents to report or disclose information to the Commission or third parties, respectively, and to maintain records. These requirements are necessary for the Commission staff to carry out its duties to determine technical, legal and other qualifications of applicants to operate and remain licensed to operate a station(s) in the common carrier and/or private fixed microwave services. In addition, the information is used to determine whether the public interest, convenience, and necessity are being served as required by 47 U.S.C. 309 and to ensure that applicants and licenses comply with ownership and transfer restrictions imposed by 47 U.S.C. 310. Without this information, the Commission would not be able to carry out its statutory responsibilities.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–04404 Filed 3–17–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0599; FR ID 285097]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before May 19, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the time period allowed by this notice, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–0599.

Title: Section 90.187, Trunking in the Bands Between 150–512 MHz; and Sections 90.425 and 90.647, Station Identification.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

Number of Respondents and Responses: 24,271 respondents and 24,271 responses.

Estimated Time per Response: 0.25–3 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection of information is contained in 47 U.S.C. 154(i), 309(j) and 332, as amended.

Total Annual Burden: 38,616 hours.

Annual Cost Burden: No cost.

Needs and Uses: The information contained in this collection sets forth frequency coordination requirements under Section 90.187, and station identification requirements under Section 90.647 and 90.425. The information requested in this collection is used by the Commission staff to enable the FCC to evaluate the accuracy of frequency coordination pursuant to its rule under 47 CFR 90.187, 90.425 and 90.647.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–04402 Filed 3–17–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

TIME AND DATE: Thursday, March 27, 2025, following the conclusion of the audit hearing.

PLACE: Hybrid meeting: 1050 First Street NE, Washington, DC (12th Floor) and virtual.

Note: If you would like to virtually access the meeting, see the instructions below.

STATUS: This meeting will be open to the public. To access the meeting virtually, go to the commission's website *www.fec.gov* and click on the banner to be taken to the meeting page.

MATTERS TO BE CONSIDERED:

Draft Advisory Opinion 2025–03:
American Samoa Democratic Party
Draft Advisory Opinion 2025–02:
Democratic Party of Puerto Rico
Election of Officer (Chair)
Management and Administrative Matters

ADDITIONAL INFORMATION: This meeting may be cancelled if the Commission is not open due to a funding lapse.

CONTACT PERSON FOR MORE INFORMATION: Myles Martin, Deputy Press Officer. Telephone: (202) 694–1221.

Individuals who plan to attend in person and who require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Laura E. Sinram, Secretary and Clerk, at (202) 694–1040 or *secretary@fec.gov,* at least 72 hours prior to the meeting date.

Authority: Government in the Sunshine Act, 5 U.S.C. 552b.

Laura E. Sinram,

Secretary and Clerk of the Commission.

[FR Doc. 2025–04500 Filed 3–14–25; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Notice

TIME AND DATE: Thursday, March 27, 2025 at 10 a.m.

PLACE: Hybrid hearing. 1050 First Street NE, Washington, DC (12th floor) and virtual.

Note: If you would like to virtually access the hearing, see the instructions below.

STATUS: This hearing will be open to the public. To access the hearing virtually, go to the commission's website *www.fec.gov* and click on the banner to be taken to the hearing page.

MATTER TO BE CONSIDERED:

Audit Hearing: John Curtis for Utah (A23–03)

ADDITIONAL INFORMATION: This hearing may be cancelled if the Commission is not open due to a funding lapse..

CONTACT PERSON FOR MORE INFORMATION: Myles Martin, Deputy Press Officer. Telephone: (202) 694–1221.

Individuals who plan to attend in person and who require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Laura E. Sinram, Secretary and Clerk, at (202) 694–1040 or *secretary@fec.gov,* at least 72 hours prior to the hearing date.

Authority: Government in the Sunshine Act, 5 U.S.C. 552b.

Laura E. Sinram,

Secretary and Clerk of the Commission.

[FR Doc. 2025–04497 Filed 3–14–25; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than April 2, 2025.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414. Comments can also be sent electronically to *Comments.applications@chi.frb.org:*

1. *The E. Todd Kale Bank Stock Trust, Osceola, Iowa, Eric Todd Kale, Osceola, Iowa and Mark Walz, West Des Moines, Iowa, as co-trustees; the T. Reed Kale Bank Stock Trust, Osceola, Iowa, Mark Walz, as trustee; the Sandra S. Kale Trust, Osceola, Iowa, Mark Walz, as trustee; and the J. Fred Reed Jr. Grandchild's Trust for Bank Stock, Osceola, Iowa, Eric Todd Kale, individually, and as trustee;* to join the Kale Family Control Group, a group acting in concert, to retain voting shares of Osceola Bancorporation, and thereby indirectly retain voting shares of American State Bank, both of Osceola, Iowa.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–04437 Filed 3–17–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Supplemental Evidence and Data Request on Improving the Management of Menopausal Symptoms in Perimenopausal and Early Postmenopausal Women: A Systematic Review

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for Supplemental Evidence and Data Submission.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public. Scientific information is being solicited to inform our review on *Improving the Management of Menopausal Symptoms in Perimenopausal and Early Postmenopausal Women: A Systematic Review,* which is currently being conducted by the AHRQ's Evidence-based Practice Centers (EPC) Program. Access to published and unpublished

pertinent scientific information will improve the quality of this review.

DATES: *Submission Deadline* on or before April 17, 2025.

ADDRESSES:

Email submissions: epc@ahrq.hhs.gov.

Print submissions:

Mailing Address: Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, ATTN: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E53A, Rockville, MD 20857.

Shipping Address (FedEx, UPS, etc.): Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, ATTN: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E77D, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Kelly Carper, Telephone: 301–427–1656 or Email: *epc@ahrq.hhs.gov.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Evidence-based Practice Centers (EPC) Program to complete a review of the evidence for *Improving the Management of Menopausal Symptoms in Perimenopausal and Early Postmenopausal Women: A Systematic Review.* AHRQ is conducting this review pursuant to Section 902 of the Public Health Service Act, 42 U.S.C. 299a.

The EPC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (*e.g.,* details of studies conducted). We are looking for studies that report on *Improving the Management of Menopausal Symptoms in Perimenopausal and Early Postmenopausal Women: A Systematic Review.* The entire research protocol is available online at: *https://effectivehealthcare.ahrq.gov/products/menopausal-symptoms/protocol.*

This is to notify the public that the EPC Program would find the following information on *Improving the Management of Menopausal Symptoms in Perimenopausal and Early Postmenopausal Women: A Systematic Review* helpful:

- A list of completed studies that your organization has sponsored for this topic. In the list, please *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* a summary, including the following elements, if relevant: study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies that your organization has sponsored for this topic.* In the list, please provide the *ClinicalTrials.gov* trial number or, if the trial is not registered, the protocol for the study including, if relevant, a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute *ALL Phase II and above clinical trials* sponsored by your organization for this topic and an index outlining the relevant information in each submitted file.

Your contribution is very beneficial to the Program. Materials submitted must be publicly available or able to be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on topics not included in the review cannot be used by the EPC Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter.

The draft of this review will be posted on AHRQ's EPC Program website and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *https://effectivehealthcare.ahrq.gov/email-updates.*

The review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions.

Key Questions (KQ)

KQ 1: What are the effectiveness, comparative effectiveness, and harms of treatments for menopausal symptoms in perimenopausal and early postmenopausal women?

a. Do the effectiveness, comparative effectiveness, and harms of treatment vary by dose, delivery mode, formulations, or duration of treatment?

b. Do the effectiveness, comparative effectiveness, and harms of treatment vary by timing and type of menopause (early, average; iatrogenic, natural)?

c. Do the effectiveness, comparative effectiveness, and harms of treatment vary by individual- or system-level factors?

KQ 2: What is the impact of individual- or system-level factors on the receipt of treatment for perimenopausal and early postmenopausal women with symptoms?

a. Individual-level factors include but are not limited to educational attainment, patient engagement in healthcare, lifestyle factors, comorbidities.

b. System-level factors include but are not limited to provider bias, access to care, and social determinants of health.

PICOTS (Populations, Interventions, Comparators, Outcomes, Timing, and Setting)

TABLE 1—PICOTS FOR KQ 1

Criteria	Inclusions	Exclusions
Population	Perimenopausal and early postmenopausal women with menopausal symptoms (new onset or worsening of vasomotor symptoms, genitourinary symptoms of menopause, and other symptoms). Eligible women are <10 years since menopause for Black and Hispanic women and <5 years for other women or are age <60; Figure 3 offers a decision algorithm to account for variability in reporting of age and years since menopause and longer duration in vasomotor symptoms by race or ethnicity. *Vasomotor symptoms:* Hot flashes. Night sweats. *Genitourinary symptoms of menopause:* Genital pain including vulvodynia/vestibulodynia/dyspareunia. Vulvovaginal dryness. Vulvovaginal itching/irritation/discomfort. Urinary pain including dysuria. Involuntary urine loss/urinary leakage or urinary frequency. Skin thinning. Pelvic floor dysfunction. *Other symptoms:* Joint pain. Mood lability. Change in severity or persistence of mental health disorders. Cognitive changes. Sleep disturbances. *Subgroups of interest (preplanned only):* Natural menopause. Iatrogenic (*e.g.,* surgical) menopause, premature menopause, early menopause. Early perimenopausal women (prior to and through 1 year from the final menstrual period). Women with/without hysterectomy. Women at increased risk for breast cancer, women at increased risk for heart disease. Individual- and system-level factors (*e.g.,* socioeconomic status, social determinants of health, race/ethnicity).	Studies limited to specific populations such as breast cancer survivors or HIV carriers, women with pelvic organ prolapse. Studies solely comprising women with existing disorders (*e.g.,* mood, anxiety, sleep disturbances, sexual or urinary dysfunction, cognitive changes, endometriosis, fibroids, endometrial hyperplasia, polycystic ovarian syndrome).
Intervention [a]	*Systemic hormone therapy (Appendix A):* FDA-approved hormone therapies: estrogens alone, estrogens + progestin, estrogens + progesterone, estrogens + androgen, androgens (including testosterone), micronized progesterone, synthetic progestins, tissue-selective estrogen complex (*e.g.,* CEE/bazedoxifene), compounded menopausal hormone therapy (compounded in 503B outsourcing facilities),[b] ''bioidentical hormones''. *Subgroups of interest (preplanned only):* Route of delivery: oral, transdermal, pellets (for cBHT), vaginal, intramuscular. *Specific nonhormone therapies:* paroxetine or paroxetine mesylate (common brand names: Paxil, Paxil CR, Brisdelle). venlafaxine (common brand names: Effexor XR). desvenlafaxine (common brand names: Pristiq). escitalopram (common brand names: Lexapro). citalopram (common brand names: Celexa). duloxetine (common brand names: Drizalma, Cymbalta). sertraline (common brand names: Zoloft). fluoxetine (common brand names: Prozac, Symbyax). gabapentin (common brand names: Neurontin, Gralise, Horizant). fezolinetant/neurokinin-3 (NK–3) receptor antagonist (common brand names: Veozah). elinzanetant/neurokinin-1,3 (NK–1,3) receptor antagonist (common brand names: none).[d]	Anti-estrogen therapy. Nonhormonal treatments such as vitamins and herbs. Energy-based therapies (*e.g.,* laser). Behavioral therapies (*e.g.,* yoga, dance). Nonsystemic therapies.[c]

TABLE 1—PICOTS FOR KQ 1—Continued

Criteria	Inclusions	Exclusions
	oxybutynin (common brand names: Ditropan, Oxytrol, Gelnique). clonidine (common brand names: Catapres, Duraclon, Iopidine, Nexiclon XR, Onyda XR). pregabalin (common brand names: Lyrica).	
Comparator	*Benefits:* Placebo or inactive control, alternate treatment (*i.e.,* any other eligible intervention). *Harms:* No treatment, placebo or inactive control (*e.g.,* vitamins), alternate treatment (*i.e.,* any other eligible intervention).	Same as above.
Outcomes [e]	*Benefits:* Validated measures of new or worsening symptoms (frequency, severity, distress/bother) of: Vasomotor symptoms ○ Hot flashes. ○ Night sweats. *Genitourinary symptoms of menopause:* ○ Genital pain including vulvodynia/vestibulodynia/dyspareunia. ○ Vulvovaginal dryness. ○ Vulvovaginal itching/irritation/discomfort. ○ Urinary pain including dysuria. ○ Involuntary urine loss/urinary leakage or urinary frequency. ○ Skin thinning. ○ Pelvic floor dysfunction. *Other symptoms:* ○ Joint pain. ○ Mood lability. ○ Change in severity or persistence of mental health disorders. ○ Cognitive changes. ○ Sleep disturbances. Treatment satisfaction. Sexual function. Quality of life. *Harms or health impact:* Abnormal uterine bleeding. Coronary heart disease. Stroke. Venous thromboembolism. Breast cancer. Endometrial cancer. Colorectal cancer. Ovarian cancer. Osteopenia and osteoporosis. Alzheimer's disease and other dementias, or cognitive decline. Side effects of treatment including liver damage. Multimorbidity (2 or more conditions). All-cause mortality.	Intermediate or nonclinical outcomes such as vaginal pH, arterial intimal thickness, fracture scores.
Timing	Onset of treatment at or near menopause (through 5 years of the final menstrual period [10 years for Black and Hispanic women]). At least 12 weeks duration of treatment.	Later onset of treatment. Less than 12 weeks duration of treatment.
Sample size	All for benefits >1,000 for harms from cohort studies	None for benefits. Cohort studies with ≤1,000 participants.
Setting	Any	None.
Study design	Randomized clinical trials, controlled clinical trials, nonrandomized interventions (cohorts and case-control studies), systematic reviews as hand-search sources.	Case series, narrative reviews, editorials, and commentaries; systematic reviews are not eligible but will be reviewed to determine whether any included studies are eligible.
Years of publication	2002 and beyond to ensure relevance to current clinical practice.	Prior to 2002.
Language	English	Studies published in languages other than English.

[a] With the exception of compounded bioidenticals, testosterone, and hormonal contraceptives, we will limit inclusion to FDA-approved medications to treat menopausal symptoms. For testosterone and hormonal contraceptives, we will limit to FDA-approved medications.

[b] Compounded in a 503A compounding pharmacy, 503B outsourcing facilities, government healthcare facilities, for academic research, or for certain studies that were produced to assess off-label outcomes of FDA-approved products. These facilities are likely to be "subject to an increased level of federal oversight, although not as strict as FDA oversight."[20]

[c] Local therapies for genitourinary syndrome of menopause have been previously reviewed by AHRQ.[29]
[d] Will be included on receipt of FDA approval.
[e] The proposed list of outcomes integrates core outcome sets defined for genitourinary syndrome of menopause[30] and vasomotor symptoms.[31]
CEE = conjugated equine estrogen; FDA = Food and Drug Administration; KQ = Key Question; PICOTS = population, intervention, comparators, outcomes, timing, study design and setting.

TABLE 2—SPIDER TABLE FOR KQ 2

Criteria	Inclusions	Exclusions
Sample	Perimenopausal and early postmenopausal women with menopausal symptoms (new onset or worsening of vasomotor symptoms, genitourinary symptoms of menopause, and other symptoms) or their providers. Eligible women are <10 years since menopause for Black and Hispanic women and <5 years for other women or are age <60; Figure 3 offers a decision algorithm to account for variability in reporting of age and years since menopause. *Vasomotor symptoms:* Hot flashes; Night sweats. *Genitourinary symptoms of menopause:* Genital pain including vulvodynia/vestibulodynia/dyspareunia; Vulvovaginal dryness; Vulvovaginal itching/irritation/discomfort; Urinary pain including dysuria; Involuntary urine loss/urinary leakage or urinary frequency; Skin thinning; Pelvic floor dysfunction. *Other symptoms:* Joint pain; Mood lability; Change in severity or persistence of mental health disorders; Cognitive changes; Sleep disturbances. *Subgroups of interest (preplanned only):* Natural menopause; Iatrogenic (*e.g.,* surgical) menopause, premature menopause, early menopause; Early perimenopausal women (prior to and through 1 year from the final menstrual period); Women with/without hysterectomy; Women at increased risk for breast cancer, women at increased risk for heart disease; Individual- and system-level factors (*e.g.,* socioeconomic status, social determinants of health, race/ethnicity).	Studies limited to specific populations such as breast cancer survivors or HIV carriers, women with pelvic organ prolapse. Studies solely comprising women with existing disorders (mood, anxiety, sleep disturbances, sexual or urinary dysfunction, cognitive changes, endometriosis or fibroids, endometrial hyperplasia, polycystic ovary syndrome). Perimenopausal women with menopausal symptoms in countries other than the United States.
Phenomenon of interest[a]	*Receipt of systemic hormone therapy: FDA-approved hormone therapies:* estrogens alone, estrogens + progestin, estrogens + progesterone, estrogens + androgen, androgens (including testosterone), micronized progesterone, synthetic progestins, tissue-selective estrogen complex (*e.g.,* CEE/bazedoxifene), compounded menopausal hormone therapy (compounded in 503B outsourcing facilities),[b] ''bioidentical hormones''. *Specific nonhormone therapies:* paroxetine or paroxetine mesylate (common brand names: Paxil, Paxil CR, Brisdelle); venlafaxine (common brand names: Effexor XR); desvenlafaxine (common brand names: Pristiq); escitalopram (common brand names: Lexapro); citalopram (common brand names: Celexa); duloxetine (common brand names: Drizalma, Cymbalta); sertraline (common brand names: Zoloft); fluoxetine (common brand names: Prozac, Symbyax); gabapentin (common brand names: Neurontin, Gralise, Horizant); fezolinetant/neurokinin-3 (NK–3) receptor antagonist (common brand names: Veozah); elinzanetant/neurokinin-1,3 (NK–1,3) receptor antagonist (common brand names: none);[c] oxybutynin (common brand names: Ditropan, Oxytrol, Gelnique); clonidine (common brand names: Catapres, Duraclon, Iopidine, Nexiclon XR, Onyda XR); pregabalin (common brand names: Lyrica).	Any other phenomenon (*e.g.,* shared decision making). Receipt of any other therapy.
Design	No treatment, placebo or inactive control, alternate treatment (*i.e.,* any other eligible intervention) active.	Same as above.
Evaluation	Factors explaining receipt of treatment (defined as treatment offered by prescriber, treatment received by patient, and treatment initiated/used/adhered to by patient).	Any other evaluation (including evaluation of factors upstream from receipt such as shared decision making and access).
Years of publication	2009 and beyond	Prior to 2009.

TABLE 2—SPIDER TABLE FOR KQ 2—Continued

Criteria	Inclusions	Exclusions
Research type	Qualitative, survey, mixed methods, original research	Case studies, narrative reviews, editorials, and commentaries; systematic reviews are not eligible but will be reviewed to determine whether any included studies are eligible.
Language	English	Studies published in languages other than English.
Geographic setting	United States	Any other country.

[a] With the exception of compounded bioidenticals, testosterone, and hormonal contraceptives, we will limit inclusion to FDA-approved medications to treat menopausal symptoms. For testosterone and hormonal contraceptives, we will limit to FDA-approved medications.

[b] Compounded in a 503A compounding pharmacy, 503B outsourcing facilities, government healthcare facilities, for academic research, or for certain studies that were produced to assess off-label outcomes of FDA-approved products. These facilities are likely to be "subject to an increased level of federal oversight, although not as strict as FDA oversight." [20]

[c] Will be included on receipt of FDA approval.

CEE = conjugated equine estrogen; FDA = Food and Drug Administration; KQ = Key Question; SPIDER = sample, phenomenon, design, evaluation, and research.

Dated: March 12, 2025.

Marquita Cullom,

Associate Director.

[FR Doc. 2025–04397 Filed 3–17–25; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Dental & Craniofacial Research; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Dental and Craniofacial Research Special Emphasis Panel; Review for Organs-on-a-Chip in Dental, Oral, and Craniofacial Research.

Date: April 22, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institute of Dental & Craniofacial Research, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Jingshan Chen, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, National Institute of Dental & Craniofacial Research, 31 Center Drive, Bethesda, MD 20892, (301) 451–2405, email: *jingshan.chen@nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04409 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Human Genome Research Institute Special Emphasis Panel; SBIR—STTR.

Date: April 4, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Video Assisted Meeting.

Address: National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Suite 3000, Bethesda, MD 20892.

Contact Person: Victoriya Volkova, DVM, Ph.D., National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Bethesda, MD 20892, 240–762–2444, email: *Victoriya.volkova@nih.gov.*

Name of Committee: National Human Genome Research Institute Special Emphasis Panel; Ethical, Legal, and Social Implications (ELSI).

Date: April 4, 2025.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Suite 3000, Bethesda, MD 20892.

Contact Person: Keith McKenney, Ph.D., Scientific Review Officer, National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Suite 3000, Bethesda, MD 20892, (301) 594–4280, email: *mckenneyk@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04422 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial

property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; BPCA Pediatric Trials Network Contract Review Meeting.

Date: May 5, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Meeting Format: Virtual Meeting.

Address: Eunice Kennedy Shriver National Institute of Child, Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Contact Person: Anita Szajek, Ph.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Room 2131D, Bethesda, MD 20892, (301) 496–5966, email: *anita.szajek@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04431 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Heart, Lung, and Blood Initial Review Group; Heart, Lung, and Blood Program Project Study Section.

Date: April 28–29, 2025.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Melissa H. Nagelin, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–R, Bethesda, MD 20892, (301) 827–7951, email: *nagelinmh2@nhlbi.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04430 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Resource Related Research Projects (R24 Clinical Trial Not Allowed).

Date: April 4, 2025.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G56, Rockville, MD 20892.

Meeting Format: Video Assisted Meeting.

Contact Person: Maryam Rohani, Ph.D., Scientific Review Officer, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G56, Rockville, MD 20892, (301) 761–6656, *maryam.rohani@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 12, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04301 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, NIDA. The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute on Drug Abuse, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIDA.

Date: May 06, 2025.

Time: 10:00 a.m. to 4:45 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Meeting Format: Virtual Meeting.

Place: National Institute on Drug Abuse, NIH, Biomedical Research Center, 251 Bayview Boulevard, Baltimore, MD 21224.

Contact Person: Megan E. Bollinger, M.S., Management Analyst, Office of the Scientific Director, National Institute on Drug Abuse, 251 Bayview Boulevard, Suite 200, Baltimore, MD 21224, (667) 312–5035 email: *Megan.Bollinger@nih.gov*

Contact Person: Deon Harvey, Ph.D., Management Analyst, Office of the Scientific Director, National Institute on Drug Abuse, 251 Bayview Boulevard, Suite 200, Baltimore, MD 21224, (667) 312–5568, email: *Deon.Harvey@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction

Research Programs, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04429 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Developmental Biology.

Date: April 23, 2025.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Ezgi Kunttas-Tatli, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–7047, email: *ezgi.kunttas-tatli@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Physiology and Pathobiology of Cardiovascular and Respiratory Systems.

Date: May 1–2, 2025.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Yuanyi Feng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594–1180, email: *fengy7@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Special Topics in Neural Disorders and Clinical Neuroscience.

Date: May 5, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Paula Elyse Schauwecker, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5201, Bethesda, MD 20892, 301–760–8207, email: *schauweckerpe@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Collaborative Applications: Clinical Studies of Mental Illness.

Date: May 5, 2025.

Time: 5:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Paula Elyse Schauwecker, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5201, Bethesda, MD 20892, 301–760–8207, email: *schauweckerpe@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Alcohol and Motivated Behavior.

Date: May 7, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Kathryn Partlow, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1016D, Bethesda, MD 20892, (301) 594–2138, email: *partlowkc@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04421 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Partnerships for the Development of Tools to Advance Therapeutic Discovery for Select Antibiotic-Resistant Gram-Negative Bacteria (R01 Clinical Trial Not Allowed).

Date: April 24, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3F21B, Rockville, MD 20892 (Video Assisted Meeting).

Contact Person: Maryam Feili-Hariri, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3F21B, Rockville, MD 20892, 240–669–5026, *haririmf@niaid.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 13, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04435 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel, NIA IMPACT Collaboratory.

Date: April 3, 2025.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Contact Person: Sandhya Sanghi, Ph.D., Scientific Research Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–2879, email: *sandhya.sanghi@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04428 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Innovative Mental Health Services Research.

Date: April 18, 2025.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Nicholas Gaiano, Ph.D., Review Branch Chief, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Bethesda, MD 20892–9606, 301–443–2742, email: *nick.gaiano@nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 12, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04316 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cancer Biology.

Date: April 3, 2025.

Time: 12:00 p.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Rolf Jakobi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, MSC 7806, Bethesda, MD 20892, 301–435–1718, email: *jakobir@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cancer Biology.

Date: April 4, 2025.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Juraj Bies, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301 435 1256, email: *biesj@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Animal & Biological Material Resources and Centers.

Date: April 7, 2025.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Karin Garabed Jegalian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 712R, Bethesda, MD 20892, (301) 867–5309, email: *jegaliak@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Molecular Genetics.

Date: April 9, 2025.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Karin Garabed Jegalian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 712R, Bethesda, MD 20892, (301) 867–5309, email: *jegaliak@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Biology of the Eye.

Date: April 9, 2025.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Jimok Kim, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6107 Rockledge Drive, Bethesda, MD 20892, (301) 402–8559, email: *jimok.kim@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Human Genetics and Genomics Topics.

Date: April 15–16, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Laureen Elizabeth Connell, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 710K, Bethesda, MD 20892, (301) 480–3629, email: *connelle@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special Topics: Bioanalytical, Molecular, Cellular Sciences and Technologies.

Date: April 17–18, 2025.

Time: 9:15 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Raj K. Krishnaraju, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, MSC 7804, Bethesda, MD 20892, (301) 435–1047, email: *kkrishna@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Instrumentation, Environmental, and Occupational Safety.

Date: April 17, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Michael James Knapp, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–0600, email: *mike.knapp@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Mature Synchrotron Resources for Structural Biology.

Date: April 18, 2025.

Time: 9:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Alexei A. Yeliseev, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443–0552, email: *yeliseeva@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Cell Biology, Developmental Biology, and Bioengineering.

Date: April 21–22, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Khalida Shamim, Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, *khalida.shamim@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Advancing Therapeutics.

Date: April 24, 2025.

Time: 9:30 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Michael James Knapp, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–0600, *mike.knapp@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Topics in Biophysics and Biochemistry.

Date: April 28–29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Dennis Pantazatos, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–2381, email: *dennis.pantazatos@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Cell Biology, Developmental Biology, and Bioengineering.

Date: April 29–30, 2025.

Time: 8:30 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Alexander Gubin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4196, MSC 7812, Bethesda, MD 20892, 301–435–2902, email: *gubina@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Innovative Research in Cancer Nanotechnology.

Date: May 8–9, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Raj K. Krishnaraju, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, MSC 7804, Bethesda, MD 20892, (301) 435–1047, *kkrishna@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 12, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04300 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; HHS–NIH–CDC–SBIR PHS 2025–1 Phase I and Fast Track: Rapid Diagnostic Assays for Self-Monitoring of Acute or Rebound HIV–1 Infection (Topic 139).

Date: April 24–25, 2025.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G34, Rockville, MD 20892 (Video Assisted Meeting).

Contact Person: Vishakha Sharma, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G34, Rockville, MD 20892, 301–761–7036, *vishakha.sharma@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 12, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04388 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; NIDCD P50 Review.

Date: April 11, 2025.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Sonia Elena Nanescu, Ph.D., Scientific Review Officer, Division of Extramural Activities, NIDCD, NIH, 6001 Executive Blvd., Suite 8300, Bethesda, MD 20892, (301) 496–8683, *sonia.nanescu@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: March 12, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04387 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Minority Health and Health Disparities; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; Model Continuums of Care Initiative To Advance Health Equity and End Health Disparities Among Women and Girls in Racial/Ethnic Minority and Other Underserved Communities.

Date: April 15–17, 2025.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Ivan K. Navarro, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 827–2061 email: *ivan.navarro@nih.gov.*

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; NIMHD Mentored Career and Research Development Awards (Ks).

Date: April 16–18, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Deborah Ismond, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 594–2704, email: *ismonddr@mail.nih.gov.*

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; Research Centers in Minority Institutions (RCMI).

Date: April 21–25, 2025.

Time: 08:00 a.m. to 10:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Maryline Laude, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 451–9536, email: *mlaudesharp@mail.nih.gov.*

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; Elucidating Mechanisms Associated With HIV Related Co-Morbidities, and Developing Interventions To Address These Comorbidities Among Highly Affected Populations Experiencing Health Disparities.

Date: April 21–25, 2025.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Ivan K. Navarro, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 827–2061, email: *ivan.navarro@nih.gov.*

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; Technologies/Innovations for Improving Minority Health and Eliminating Health Disparities.

Date: April 28–30, 2025.

Time: 8:00 a.m. to 10:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Jingsheng Tuo, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 451–5953, email: *jingsheng.tuo@nih.gov.*

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; NIMHD Support for Conferences and Scientific Meetings (R13).

Date: April 30, 2025.

Time: 12:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, NIMHD DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Karen Nieves Lugo, MPH, Ph.D., Scientific Review Officer, Scientific Review Branch, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 480–4727, email: *karen.nieveslugo@nih.gov*.

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04407 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Advancing Translational Sciences Special Emphasis Panel; NCATS Small Business Innovation and Small Business Technology Transfer Grants Review Meeting.

Date: April 8–9, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Video Assisted Meeting.

Address: National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Rockville, MD 20892.

Contact Person: Imoh Sunday Okon, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Suite 1E504, Bethesda, MD 20892. (301) 347–8881, email: *imoh.okon@nih.gov*.

Name of Committee: National Center for Advancing Translational Sciences Special Emphasis Panel; ZTR1 CI 8(01) Review of Limited Competition CTSA R03 Applications.

Date: April 10–11, 2025.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Video Assisted Meeting.

Address: National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Rockville, MD 20892.

Contact Person: Ming Yan, MD, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Suite 1E504, Bethesda, MD 20892, (301) 451–2853, *ming.yan@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: March 13, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04419 Filed 3–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039476; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: United States Marine Corps, Marine Corps Base Hawaii (MCBH) Kaneohe Bay, Kaneohe Bay, HI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the United States Marine Corps, Marine Corps Base Hawaii (MCBH) Kaneohe Bay intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization (NHO) with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: June Cleghorn, Senior Cultural Resources Manager, Environmental Compliance and Protection Division, Marine Corps Base Hawaii Kaneohe Bay, Box 6300, Kaneohe Bay, HI 96863–3002, telephone (808) 496–7126, email *june.cleghorn@usmc.mil*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the MCBH Kaneohe Bay, and additional information on the human remains in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, at least, one individual has been reasonably identified. No associated funerary objects are present. MCBH recorded one discovery of likely Native Hawaiian human skeletal remains (or iwi kupuna) on October 8, 2023 at the MCBH Marine Corps Training Area Bellows (MCTAB) in Honolulu County, Hawaii. Additional information can be found in the related record of consultation.

Determinations

MCBH has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native Hawaiian ancestry.
- The following Native Hawaiian organizations have priority for disposition of the human remains described in this notice: The Kahua Foundation, Kū'ikeokalani (Kūike) Kamakea-Ōhelo; Nation of Hawai'i, Keali'maikalani Frank; independent 'ohana (native Hawaiian families and NHOs) of 'Ohana Frank; 'Ohana Kalima, Kalani Kalima; 'Ohana Kamakea-Ohelo, Kū'ikeokalani (Kūike) Kamakea-Ōhelo; 'Ohana Kane, Kimeona Kane; 'Ohana Makaawaawa, Brandon Makaawaawa.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for

disposition are received, the MCBH must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The MCBH is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04365 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039475; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: United States Marine Corps, Marine Corps Base Hawaii Kaneohe Bay, Kaneohe Bay, HI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the United States Marine Corps, Marine Corps Base Hawaii (MCBH) Kaneohe Bay intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: June Cleghorn, Senior Cultural Resources Manager, Environmental Compliance and Protection Division, Marine Corps Base Hawaii Kaneohe Bay, Box 6300, Kaneohe Bay, HI 96863–3002, telephone (808) 496–7126, email *june.cleghorn@usmc.mil*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of MCBH, and additional information on the human remains in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, at least 57 individuals have been reasonably identified. No associated funerary objects are present. MCBH recorded 57 discoveries of likely Native Hawaiian human skeletal remains (or *iwi kupuna*) at MCBH Kaneohe Bay in Honolulu County, Hawaii between 1999 and 2023. The discoveries of human skeletal remains were secondarily deposited during past construction activities (or due to natural occurrences, *e.g.* erosion due to flooding, storm surf, etc.) and were removed from those locations throughout MCBH Kaneohe Bay in Honolulu County, HI. Additional details can be found in the related record of consultation.

Determinations

MCBH has determined that:

- The human remains described in this notice represent the physical remains of at least 57 individuals of Native Hawaiian ancestry.
- The following Native Hawaiian organizations have priority for disposition of the human remains described above in this notice: Anuhea Diamond, Kaulamealani Diamond; Diamond ʻOhana; Skye Razon-Olds, Manu Napoleon, Kaleleonalani Napoleon; Olds ʻOhana; Emalia Keohokalole, Adrian Keohokalole; Keohokalole ʻOhana; Naʻu Kamaliʻi; Boyd ʻOhana; Donna Ann Camvel; Paoa Kea Lono ʻOhana; Cy Harris; Kekumano ʻOhana; Terrilee Napua Kekoolani Raymond; Kekoʻolani ʻOhana; Malia Newhouse, Koʻolauloa Hawaiian Civic Club; Clive Cabral; Temple of Lono; Office of Hawaiian Affairs; and the Oahu Island Burial Council.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains or cultural items. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, MCBH must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. MCBH is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04364 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039433; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Land Management, Oregon/Washington State Office, Prineville District Office, Prineville, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Oregon/Washington State Office, Prineville District Office (BLM), has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Lisa M. Clark, BLM Prineville District Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416–6864, email *lmclark@blm.gov*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM, and additional information on the

determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing at least one individual have been identified. No associated funerary objects are present. The remains consist of a fragmentary calvarium plus portions of the right zygomatic and maxilla, fragmentary left mandible, and a fragmentary left femur. These remains are currently being held by the University of Oregon's Museum of Natural and Cultural History (UOMNCH). The remains were removed from their burial location in 1962. The burial's legal location is in Township 12 South, Range 12 East in the NE ¼, of SW ¼ of Section 3. This land is currently managed by the United States Forest Service (USFS) but was managed by the BLM in 1962.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The BLM has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a connection between the human remains described in this notice and the Confederated Tribes of the Warm Springs Reservation of Oregon.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the BLM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The BLM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: January 28, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04363 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039477; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, National Park Service, Katmai National Park and Preserve, King Salmon, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Katmai National Park and Preserve (KATM) intends to carry out the disposition of human remains and associated funerary objects removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains or cultural items in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects.

ADDRESSES: Mark Sturm, Superintendent, Katmai National Park and Preserve, P.O. Box 7, King Salmon, AK 99613, telephone (907) 246–2120, email *mark_sturm@nps.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Superintendent, KATM, and additional information on the human remains and associated funerary objects in this notice, including the results of consultation, can be found in the related records.

Abstract of Information Available

Based on the information available, human remains representing at least 12 individuals have been identified from an archaeological site known as the Mink Island Site, state site XMK–030. The 104 associated funerary objects are stone balls, an ivory arrow point, an ivory labret, a barbed ivory spear point, a carved ivory eye, biface fragments, ground slate tool fragments, net sinkers, an abrader, an awl-like tool, retouched flakes, ground slate fragments, flakes, a worked whale rib, a sea mammal tooth, worked bone and ivory fragments, worked or polished stones, coal fragments, an unworked small animal bone, stones, and pebbles.

In 1997, human remains, eroded from the Mink Island site in Amalik Bay (Kodiak Island Borough, Alaska) along the KATM coast due to natural erosion and looting activities, were collected. Between 1998–2000, the site was excavated by the NPS. While no other burials were encountered, an additional 25 human bones were identified and collected from the erosional area/slope of the site. After excavation, during analysis of the animal fauna recovered from the site, a further 27 human bones were found for a total of 52 bones. During a 2006 follow up site-check, two human bones were discovered and recovered. All of the human remains and funerary objects are stored at the Alaska Regional Curatorial Center (ARCC) at the NPS Regional Office in Anchorage.

Determinations

KATM has determined that:

- The human remains described in this notice represent the physical remains of at least 12 individuals of Native American ancestry.
- The 104 objects described in this notice are believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- The Alutiiq Tribe of Old Harbor; Chignik Bay Tribal Council; Ivanof Bay Tribe; King Salmon Tribe; Naknek Native Village; Native Village of Akhiok; Native Village of Chignik Lagoon; Native Village of Karluk; Native Village of Larsen Bay; Native Village of Ouzinkie; Native Village of Perryville; Native Village of Port Lions; and South Naknek Village have priority for disposition of the human remains and associated funerary objects described in this notice.

Claims for Disposition

Written claims for disposition of the human remains and associated funerary objects in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, KATM must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains and associated funerary objects are considered a single request and not competing requests. KATM is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04366 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039519; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Northwestern University, Evanston, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Northwestern University has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Dr. Eli Suzukovich III, Northwestern University, 633 Clark Street Evanston, IL 60208, telephone (847) 491–4133, email *eli.iii@northwestern.edu* (preferred contact).

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Northwestern University and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing MNI of at least three individuals have been identified and are associated with the Mound Cemetery Site in Racine, Wisconsin. There are no associated funerary objects present with these remains. The three bone fragments are most likely surface finds found in Racine, Wisconsin around 1933. The remains likely date from the Woodland (A.D. 2,500–900) to the Upper Mississippian/Oneota Period (A.D. 900–1,200) based on their association with the effigy mounds of southern Wisconsin, specifically Racine County. Information for this notice was acquired through research on Oscar W. Junek MD, and an informal interview with Dr. James A. Brown. Confirmation of the site of origin of the remains by Dr. Amy L. Rosebrough, Wis. State Archaeologist.

Taphonomy

The frontal and parietal bones have a dark tea-stained appearance with a greenish stain (possibly from copper leaching) which is also shared by the mandible. It is not conclusive, but the mandible may be from the same individual or from the same burial mound/area. The clavicle is lighter in staining and may have had some sun exposure. Based only on taphonomy, the clavicle does not match the frontal-parietal bones or the mandible

No hazardous substances are known to have been used to treat any of the human remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

Northwestern University has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and are culturally affiliated with the Forest County Potawatomi Community, Wisconsin; Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Menominee Indian Tribe of Wisconsin; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Band Potawatomi Nation; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation in Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; and the Winnebago Tribe of Nebraska.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the Northwestern University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Northwestern University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04385 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039513; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Flandreau Indian School, Moody County, SD.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, two individuals were collected at the Flandreau Indian School, Moody County, SD. The human remains are hair clippings collected from one individual who was recorded as being 15 years old and one individual who was recorded as being 13 years old and identified as ''Chippewa.'' George E. Peters took the hair clippings at the Flandreau Indian School between 1930 and 1933. Peters sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04379 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039468; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Pawnee Indian Reservation, Pawnee County, OK.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, three individuals was collected at the Pawnee Indian Reservation, Pawnee County, OK. The human remains are hair clippings collected from one individual who was recorded as being 39 years old, one individual recorded as being 13 years old, and one individual with an unknown age and identified as ''Otoe.'' Arvel R. Snyder took the hair clippings at the Pawnee Indian Reservation between 1930 and 1933. Snyder sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Otoe-Missouria Tribe of Indians, Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04359 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039473; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: United States Army Corps of Engineers, Detroit District, Detroit, MI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the United States Army Corps of Engineers, Detroit District (Detroit District), intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: Curtis Sedlacek, United States Army Corps of Engineers, Detroit District, 477 Michigan Avenue, 7th Floor, Detroit, MI 48226, telephone (313) 226–3510, email *curtis.h.sedlacek@usace.army.mil*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Detroit District, and additional information on the human remains or cultural items in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, one adult individual has been reasonably identified. The remains were discovered during an activity occurring on USACE property in the vicinity of historic Fort Wayne, City of Detroit, Wayne County, Michigan. Mound and burial fill is known to be present throughout the area.

Determinations

The Detroit District has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Nottawaseppi Huron Band of the Potawatomi, Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and the Prairie Band Potawatomi Nation have priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, the Detroit District must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The Detroit District is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04362 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039480; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, National Park Service, Aniakchak National Monument and Preserve, King Salmon, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Aniakchak National Monument and Preserve (ANIA) intends to carry out the disposition of human

remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: Mark Sturm, Superintendent, Aniakchak National Monument and Preserve, P.O. Box 7, King Salmon, AK 99613, telephone (907) 246–2120, email *mark_sturm@nps.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Superintendent, ANIA, and additional information on the human remains in this notice, including the results of consultation, can be found in the related records.

Abstract of Information Available

Based on the information available, human remains representing, at least one individual has been reasonably identified from an archaeological site known as the Aniakchak Bay Village Site, state site SUT–027. No associated funerary objects are present.

From 2004–2007, NPS archeologists excavated this large village site in Aniakchak Bay (Lake and Peninsula Borough, Alaska) along the ANIA coast. No human remains were encountered or identified during excavation. During analysis of the animal fauna recovered from the site, 12 human bones were reported: seven deciduous (baby) teeth, three permanent (adult) teeth, and two phalanges (toe) bones. The teeth and phalanges were not associated with any other human remains. These human remains are stored at the Alaska Regional Curatorial Center (ARCC) at the NPS Regional Office in Anchorage, AK.

Determinations

ANIA has determined:

- The human remains described in this notice represent the physical remains of at least one individual of Native American ancestry.
- The Chignik Bay Tribal Council; Chignik Lake Village; Native Village of Chignik Lagoon; Native Village of Perryville; Native Village of Pilot Point; and the Native Village of Port Heiden have priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, ANIA must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. ANIA is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04368 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039488; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of Agriculture, Forest Service, Gila National Forest (GNF) intends to carry out the disposition of human remains and associated funerary objects removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects.

ADDRESSES: Camille Howes, GNF Forest Supervisor, 3005 Camino del Bosque, Silver City, NM 88061, telephone (575) 937–4878, email *Camille.Howes@usda.gov*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the GNF, and additional information on the human remains and associated funerary objects in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The seven associated funerary objects are one San Francisco Redware, three Alma Plain Wares, two Corrugated wares, and one Black-on-White ware ceramic sherds. AR–03–06–04–01032 is a rock shelter with pueblo occupation located within the GNF, Glenwood Ranger District, within Grant County, New Mexico. June 2015, animal burrowing within and outside of the rock shelter uncovered human remains, which were then unknowingly taken home by recreationalists. Upon further review, the bones were recognized as human, resulting in field investigations by New Mexico State Police (NMSP) and the Office of the Medical Investigator (OMI). Once the OMI field deputy identified the archaeological site, everything collected was turned over to GNF archaeologists.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. No associated funerary objects are present. AR–03–06–05–00022 is a Classic Mimbres site located within the GNF, Wilderness Ranger District, within Catron County, New Mexico. The site is the location of an on-going authorized excavation, with a developed Plan of Action (and research design) that started in 2015 and continues thru 2025. All human remains are to be left in-situ during the excavations. Highly fragmented human

remains were identified in several faunal bags on February 27, 2017. This individual was recovered during the June 10–July 1, 2015 excavations.

Based on the information available, human remains representing, at least, 69 individuals have been reasonably identified. The 11 lots of associated funerary objects (representing approximately 121 associated funerary objects) are one lot of approximately 29 complete ceramic vessels, one lot of approximately seven bags of ceramic sherds, one lot of approximately seven bags of lithics, one lot of approximately four ground stone, one lot of approximately three bags of quartz crystals, one lot of approximately one bag of ochre, one lot of approximately 10 bags of faunal material, one lot of approximately three bags of beads, one lot of approximately two clay/stone balls, one lot of approximately one bag of shell, and one lot of approximately one pendant. AR–03–06–05–00538 is a Classic Mimbres site located within the GNF, Wilderness Ranger District, within Grant County, New Mexico. The site was the location of an authorized excavation, with a developed Plan of Action (and research design) that started in 2015 and ended in 2018.

Based on the information available, human remains representing, at least, seven individuals have been reasonably identified. The 70 associated funerary objects are five complete ceramic vessels, one obsidian flake, two quartz crystals, one turquoise fragment, one pyrite, and 60 reeds. AR–03–06–05–01024 is a Classic Mimbres site located within the GNF, Wilderness Ranger District, within Catron County, New Mexico. The site was the location of an authorized excavation, with a developed Plan of Action (and research design) that started in 2016 and ended in 2017. The associated funerary objects were specifically associated with two of the seven individuals.

Based on the information available, human remains representing, at least, one individuals have been reasonably identified. The 28 associated funerary objects are 11 Alma Plain Wares, six Corrugated Wares, and one Red-on-White Ware sherds; eight rhyolite, one obsidian, and one chert flakes. AR–03–06–07–01819 is a Late Archaic Period (BC 780–A.D. 450) and Pithouse/Puebloan Periods (A.D. ~200–1150) site with two potential pithouse features and a large artifact scatter located within the GNF, Silver City Ranger District, within Grant County, New Mexico. On December 7, 2020, human remains, were found by two hikers. Local and GNF law enforcement visited the remains December 8, 2020, determining they did not belong to a recent crime scene, collecting those on ground surface and delivering them to the GNF Forest Archaeologist. On December 9, 2020, GNF archeologists visited the site and performed an assessment. There was evidence of recent looting; however, some of the human remains had been exposed far longer than the looting event based on weathering and soil discoloration of the bone. The archeologists recovered several more bone fragments and artifacts within the disturbed soil. The remainder of the human remains appeared to be in place. The in-situ remains were stabilized and covered with soil, rocks, and loose vegetation to disguise the disturbance.

Determinations

The GNF has determined that:

- The human remains described in this notice represent the physical remains of 79 individuals of Native American ancestry.
- The 116 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- The Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico have priority for disposition of the human remains and associated funerary objects described in this notice.

Claims for Disposition

Written claims for disposition of the human remains and associated funerary objects in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, the GNF must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains and associated funerary objects are considered a single request and not competing requests. The GNF is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04376 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039465; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Nelson Gallery Foundation (d/b/a The Nelson-Atkins Museum of Art), Kansas City, MO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The Nelson Gallery Foundation, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, intends to repatriate a certain cultural item that meets the definition of an object of cultural patrimony and that has a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after April 17, 2025.

ADDRESSES: Reagan Duplisea, Registrar for Collections, The Nelson-Atkins Museum of Art, 4525 Oak Street, Kansas City, MO 64111, telephone (816) 751–1332, email *rduplisea@nelson-atkins.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Nelson Gallery Foundation, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

One item has been requested for repatriation. The 2003.11 claim qualifies

as an object of cultural patrimony. It is a human head effigy jar. On June 12, 2003, The Nelson-Atkins Museum of Art purchased the cultural item from Dr. James F. Cherry, Fayetteville, AR. The object was accessioned into the Nelson-Atkin's collection on May 19, 2003.

A formal repatriation request was made by Carrie V. Wilson, Quapaw Nation NAGPRA Director, on December 3, 2024. The human head effigy jar is a tan-colored ceramic jar, modeled in the form of a human head, with incised designs on face and red-painted hair. It is estimated to have been made between A.D. 1450–1650. The jar is an object of cultural patrimony. It appears to represent a venerated ancestor or person of great political or social significance. The eyes are visibly open, and speech glyphs of incised curving lines extending from the mouth are believed to symbolize the act of speech.

The specific function of head effigy jars is unknown, as was the nature of their contents. Many were used in some fashion, however, perhaps ritually; these pots show unmistakable evidence of use and wear, especially at the base and around the projecting ears and rims. Significantly, this clearly indicates that the vessels were not made exclusively for inclusion in burials. They were rare during the period in which they were produced, and this rarity has extended to the present. Only 138, including broken and fragmentary vessels, are known to have survived among the thousands of extant Mississippian pots. Of these, whole pots are extremely rare.

This jar was found in 1985 by Arnold Moore of Kennett, Missouri, at the Chickasawba site, Mississippi County, Arkansas. The Chickasawba site was a large village covering at least 20 acres, occupied in various locations over a long period, and located around one large temple mound. The site, numbered 3MS5, is located on private property. The pot was legally excavated and was not associated with a burial. It was located at a depth of approximately 4 ½ feet in a ''sand blow'' 8 to 10 feet wide within the village site and northwest of the mound. (Geologists generally agree that these sand blow formations occurred during the great New Madrid earthquakes of 1811–12.)

Dr. James Cherry, generally regarded as one of the foremost experts of Mississippian head effigy jars, began his extensive study in 1981. He purchased this jar from Mr. Moore in 1996.

Ms. Wilson from the Quapaw Nation consulted with the Museum onsite in early December 2024 with Curator of Native American Art, Tahnee Ahtone.

Determinations

The Nelson Gallery Foundation has determined that:

- The one object of cultural patrimony described in this notice has ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural item described in this notice and the Quapaw Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural item in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the Nelson Gallery Foundation must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The Nelson Gallery Foundation is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04356 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039481; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of Agriculture, Forest Service, Shawnee National Forest, Harrisburg, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Shawnee National Forest intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: Heather Carey, Heritage Program Manager/Tribal Liaison, Shawnee National Forest, 501 N Main Street, Jonesboro, IL 62952, telephone (618) 833–8576 Ext. 104, email *heather.carey@usda.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Shawnee National Forest, and additional information on the human remains in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing at least five individuals have been reasonably identified. No associated funerary objects are present. The remains consist of one individual removed from 11J822 in 1998, one individual removed from 11J1217,11J1218, or 11J1219 in 1991, one individual removed from 11J1219 in 1991, one individual removed from 11J980 in 1991, and one individual removed from 11J1348 in 2019 from Jackson County, Illinois.

Based on the information available, human remains representing at least four individuals have been reasonably identified. No associated funerary

objects are present. The remains consist of one individual removed from 11PP3 in 1997, one individual removed from 11PP199 in 2000, and two individuals removed from 11PP1019 in 1992 from Pope County, Illinois.

Based on the information available, human remains representing at least one individual have been reasonably identified. No associated funerary objects are present. The remains consist of one individual removed from 11JS89 in 1991 from Johnson County, Illinois.

Determinations

The Shawnee National Forest has determined that:

- The human remains described in this notice represent the physical remains of 10 individuals of Native American ancestry.
- The Absentee Shawnee Tribe of Indians of Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; Peoria Tribe of Indians of Oklahoma; Quapaw Nation; Shawnee Tribe; and The Osage Nation have priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, the Shawnee National Forest must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The Shawnee National Forest is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04369 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039478; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, National Park Service, Katmai National Park and Preserve, King Salmon, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Katmai National Park and Preserve (KATM) intends to carry out the disposition of human remains and associated funerary objects removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects.

ADDRESSES: Mark Sturm, Superintendent, Katmai National Park and Preserve, P.O. Box 7, King Salmon, AK 99613, telephone (907) 246–2120, email *mark_sturm@nps.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Superintendent, KATM, and additional information on the human remains and associated funerary objects in this notice, including the results of consultation, can be found in the related records.

Abstract of Information Available

Based on the information available, human remains representing at least one individual has been reasonably identified from the Cutbank Site, state site XMK–016. The eight associated funerary objects are a stone lamp, a biface fragment, wooden plank fragments, birch bark, soil, and stone flakes.

In 1999, fragments of a human cranium and stone lamp were found naturally eroded from the Cutbank site, near Brooks Camp (Lake and Peninsula Borough, Alaska) and were collected. In 2000, more human remains, and a stone tool eroded from the same burial in the cutbank and were collected. In 2001, the remaining human remains at the stie were excavated by the NPS. Between 2002–2003, the site was excavated by the NPS. While no other burials were encountered, an additional human molar was identified and collected. All the human remains and funerary objects are stored in the Alaska Regional Curatorial Center (ARCC) at the NPS Regional Office in Anchorage, AK.

Determinations

KATM has determined that:

- The human remains described in this notice represent the physical remains of at least one individual of Native American ancestry.
- The eight objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as a part of the death rite or ceremony.
- The Chignik Bay Tribal Council; Chignik Lake Village; Ivanof Bay Tribe; King Salmon Tribe; Naknek Native Village; Native Village of Chignik Lagoon; Native Village of Perryville; and South Naknek Village have priority for disposition of the human remains or cultural items in this notice.

Claims for Disposition

Written claims for disposition of the human remains and associated funerary objects in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, KATM must determine the most appropriate claimant prior to disposition. Requests for joint

disposition of the human remains and associated funerary objects are considered a single request and not competing requests. KATM is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04367 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039520; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: San Bernardino County Museum, Redlands, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), San Bernardino County Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after April 17, 2025.

ADDRESSES: Gabrielle Carpentier, San Bernardino County Museum, 2024 Orange Tree Lane, Redlands, CA 92374, telephone (909) 798–8613, email *gabrielle.carpentier@sbcm.sbcounty.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the San Bernardino County Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 10 unassociated funerary objects have been requested for repatriation.

The 10 unassociated funerary objects are one lot of ground stone, one lot of ceramic sherds, one lot of lithic flakes, one lot of fire-affected rock, one lot of bone awls (A5–379), one lot of abalone shells (A5–378), one lot of shell pendants (A5–383 and A5–381), one lot of unworked shell (A5–380), one lot of green slate (A5–283), and one lot of faunal bone. These objects from Turner Springs Ranch (SBCM–88) donated to the museum by Dr. Gerald A. Smith (A5) and accessioned in 1962. They were excavated in the early 1940s by Fred Turner and Gerald Smith, where multiple burials were reported, and in one instance ''an abalone shell was found inverted over the skull of a very small child.'' The museum nominated the Turner Springs District to the National Register in 1977.

Determinations

The San Bernardino County Museum has determined that:

- The 10 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Yuhaaviatam of San Manuel Nation (*previously* listed as San Manuel Band of Mission Indians, California).

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the San Bernardino County Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The San Bernardino County Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04386 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039517; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Tennessee, McClung Museum of Natural History & Culture, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Tennessee, McClung Museum of Natural History & Culture (UTK), has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025.

ADDRESSES: Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37921–6053, telephone (865) 974–3370, email *nagpra@utk.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The

determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, 233 individuals have been identified. The 111 lots of associated funerary objects are 53 lots of ceramics, 40 lots of lithics, nine lots of faunal remains, four lots of botanicals, two lots of minerals, and three lots of shell.

These individuals were removed from 40SW20, the ''Indian Bluff'' site, in Stewart County, TN. They were removed between July-October 1939, by Works Progress Administration (WPA) crews under the direction of George W. Brainerd. After the 1939 excavation, they were transferred to UTK. 40SW20 was a Mississippian Period, ''Middle Cumberland Culture'' (~1000–1425 CE), site consisting of a mostly stone box cemetery and a village on the east bank of the Cumberland River. Cultural affiliation was determined through Tribal consultation. In consultation, The Chickasaw Nation communicated their cultural affiliation and specifically referenced geographical and historical information: Treaty with the United States and the Chickasaws, 1805, which shows that Stewart County, TN is part of the aboriginal homeland of the Chickasaw people.

Some of the remains were ''repaired'' using an unknown glue, and some were treated with an unknown preservative, however, to our knowledge no potentially hazardous substances were used to treat the remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

UTK has determined that:

- The human remains described in this notice represent the physical remains of 233 individuals of Native American ancestry.
- The 111 lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and The Chickasaw Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. UTK is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04383 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039516; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of Tennessee, McClung Museum of Natural History & Culture, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Tennessee, McClung Museum of Natural History & Culture (UTK), intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after April 17, 2025.

ADDRESSES: Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37921–6053, telephone (865) 974–3370, email *nagpra@utk.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 57 lots of cultural items have been requested for repatriation. The 57 unassociated funerary objects are 28 lots of ceramics, 27 lots of lithics, one lot of faunal remains, and one lot of minerals. These funerary objects were removed from 40SW20, the ''Indian Bluff'' site, in Stewart County, TN. They were removed between July–October 1939, by Works Progress Administration (WPA) crews under the direction of George W. Brainerd. After the 1939 excavation, they were transferred to UTK. 40SW20 was a Mississippian Period, ''Middle Cumberland Culture'' (~1000–1425 CE) site consisting of a mostly stone box cemetery and a village on the east bank of the Cumberland River. Cultural affiliation was determined through Tribal consultation. In consultation, The Chickasaw Nation communicated their cultural affiliation and specifically referenced geographic and historic information: Treaty with the United States and the Chickasaws, 1805, which shows that Stewart County, TN is part of the aboriginal homeland of the Chickasaw people. To our knowledge, no potentially hazardous substances were used to treat any of these objects.

Determinations

UTK has determined that:

- The 57 lots of unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or

Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- There is a reasonable connection between the cultural items described in this notice and The Chickasaw Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. UTK is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04382 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039466; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The Alfred W. Bowers Laboratory of Anthropology, The University of Idaho, Moscow, ID

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Alfred W. Bowers Laboratory of Anthropology, The University of Idaho has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Emily Hull, Alfred W. Bowers Laboratory of Anthropology, The University of Idaho, 875 Perimeter Drive MS 4023, Moscow, ID 83844–4023, telephone (509) 336–5868, email *emilyhull@uidaho.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Alfred W. Bowers Laboratory of Anthropology, The University of Idaho, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A number of ancestral remains from California were found at the University of Idaho in 2024 associated with the archaeologist and osteologist Grover S. Krantz. Many of the remains were gathered in concert with A.B. Elsasser and Jack Smith, both of California. Krantz integrated these remains into his osteological collection at UC Berkeley. It is presumed that they were brought by Krantz to Washington State University in 1968, when he assumed a faculty position. It is unknown how or why the remains were transferred to the University of Idaho, however, there has been a historically close relationship between the two universities due to physical proximity, and other exchanges have been documented. We believe that these remains were used as part of the former Human Osteology Collection housed in the Department of Anthropology. At an unknown time, the remains were removed, given new catalogue numbers, and moved to a secure location in the Alfred W. Bowers Laboratory of Anthropology. These remains were re-discovered in 2024.

CCo-19, GSK Individual 7–8

In 1955, ancestral remains representing one individual were removed from site Ca-CCo-19 in Concord, CA. The remains were removed as part of a salvage operation when burials were disturbed by construction at the site. This site was originally known as ''Read's Site'' after Walter Read, the man who reported the site's location. The construction development uncovered several burials, which were reported to the UCAS by a Mr. C.K. Sapper of East Contra Costa College on 10/9/1956, and a salvage excavation was afterwards undertaken by Arnold Pilling and J. Bennyhoff. Bennyhoff's notes state that Pilling and Bennyhoff found three mortuary features and ancestral remains already extremely damaged by the construction. They report the discovery of an additional five burial sites, though no remains were taken from these burials. They noted that almost all burials were oriented facing north, with one facing NW. The associated artifacts were reported as ''two small obsidian flakes, a chert flake, and two pieces of fractured deer antler.'' The location of these funerary belongings is unknown. Additionally, a small pestle was found which was, according to the records, transferred to an unknown unit at University of California, Berkeley. The files were signed by A.B. Elsasser, who is noted in Grover S. Krantz's notes as a common source of human remains for his collection at UC Berkeley. (Bennyhoff's original report is available upon request; it has not been included with this report, as there are rudimentary drawings of the mortuary features and remains in the report.) As of Dec 2024, we have determined that the remains of at least one individual are attributed to CCo-19, based on Krantz's original notes and research of the site. Primary documents from Krantz are sparse and without detail, however, we believe that there is enough evidence to clearly link them to Contra Costa County and specifically with site CCo-19.

CCo-2, GSK Individual 118

These ancestral remains belong to a single individual who was exhumed at an unknown time and place but were listed as given to Grover Krantz by A.B. Elsasser on July 20, 1961, in Contra Costa County, with the site listed as CCo-2. The notes by Krantz and Elsasser list the individual as ''Male Amerind,'' but there are no other details of his identity, provenance, or circumstances. Like the previously listed ancestors, these remains are assumed to have been brought by Krantz to Washington State University in 1968, and then, at an unknown time, were moved to the University of Idaho. They were found in the same box as the remains from CCo-19 in October of 2024. The ancestral remains are now housed in a secure area

accessible only to the collections manager. As the site is listed in Contra Costa County, we believe that this is enough evidence to link this individual to this geographical location.

Alameda County

GSK Individual 10

In Spring of 1955, ancestral remains representing a minimum of one individual were found by a Berkeley, CA coroner. The coroner, whose name is unknown, found the remains in his office upon the assumption of his position. The remains were transferred to A.B. Elsasser and then to G. S. Krantz, who moved these remains to Washington State University in 1968. At an unknown time, these ancestral remains were transferred to the University of Idaho. They were re-discovered during an inventory performed by the collections manager of the Alfred W. Bowers Laboratory of Anthropology at the University of Idaho in 2024. The notes of G.S. Krantz provide evidence that these ancestral remains were initially gathered in Berkeley, CA by Elsasser. We believe that enough evidence exists to make a geographic connection between these remains and Alameda County, CA.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The Alfred W. Bowers Laboratory of Anthropology, The University of Idaho has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Buena Vista Rancheria of Me-Wuk Indians of California; Chicken Ranch Rancheria of Me-Wuk Indians of California; Guidiville Rancheria of California; Ione Band of Miwok Indians of California; Jackson Band of Miwuk Indians; Tule River Indian Tribe of the Tule River Reservation, California; and the Wilton Rancheria, California.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the Alfred W. Bowers Laboratory of Anthropology, The University of Idaho must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The Alfred W. Bowers Laboratory of Anthropology, The University of Idaho is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04357 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039483; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The University of Tennessee, Department of Anthropology, Knoxville, TN, and Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The University of Tennessee, Department of Anthropology (UTK) and the Kansas State Historical Society (KSHS) have completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025.

ADDRESSES: Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37921–6053, telephone (865) 974–3370, email *nagpra@utk.edu,* and Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Ave., Topeka, KS 66615, telephone (785) 272–8681, email *kshs.nagpra@ks.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK and KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, four individuals have been identified. The 66 associated funerary objects include animal bones, a bone tool, a hearthstone fragment, metal, pottery sherds, points, worked stone, stone flakes, and a glass fragment, as well as two lots of faunal remains, one lot of lithics, and one lot of soil. This burial site (14MD401) is located in Meade County, KS along a bluff on the south side of Crooked Creek (UBS 1989–38). The burials were excavated in the 1960s by William Bass, Leon Deckert, and local individuals who initially found remains naturally eroding in the area. Bass kept some of the remains from this site and also gave some of the remains to Deckert, who later donated the remains to KSHS in 1988. Based on a past pattern of practice, Bass likely brought some of the remains and associated funerary objects to UTK when he began working there in 1971. To our knowledge, no known hazardous substances were used to treat any of the remains or associated funerary objects.

Through Tribal consultation, this individual was identified as culturally affiliated with the Cheyenne and Arapaho Tribes, Oklahoma, based off the following types of information: expert opinion, geographical information, historical information, and oral tradition.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

KSHS and UTK have determined that:

- The human remains described in this notice represent the physical remains of four individuals of Native American ancestry.
- The 66 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a reasonable connection between the human remains and associated funerary objects described in this notice and the Cheyenne and Arapaho Tribes, Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, UTK and KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. UTK and KSHS are responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04370 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039485; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Deanna Byrd, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 384–0672, email *deannabyrd@fas.harvard.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from an unknown location in Binghamton, Broome County, NY, by an unknown collector at an unknown date. This individual became part of the John Mason Warren collection at an unknown date. In December 1883, J. Collins Warren donated the J. Mason Warren Collection to the Warren Anatomical Museum, Harvard University (WAM), including this individual. In May 1959, WAM transferred this individual to the PMAE.

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from Owego, Tioga County, NY, possibly by Raphael Pumpelly, in 1880. Pumpelly donated this individual to the PMAE in 1880.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Onondaga Nation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04373 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039487; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of Agriculture, Forest Service, Gila National Forest (GNF) intends to carry out the disposition of human remains and associated funerary objects removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects.

ADDRESSES: Camille Howes, GNF Forest Supervisor, 3005 Camino del Bosque, Silver City, NM 88061, telephone (575) 937–4878, email *Camille.Howes@usda.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the GNF, and additional information on the human remains and associated funerary objects in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, one individuals have been reasonably identified. No associated funerary objects are present. On April 19, 2015, a hiker inadvertently discovered human remains, along Brannon Park Trail 700, in the Gila Wilderness Area, within the GNF, Wilderness Ranger District, in Grant County, New Mexico. Archaeological reconnaissance did not reveal archaeological material nor a disturbed site.

Based on the information available, human remains representing, at least, one individuals have been reasonably identified. The one lot of associated funerary objects are stones. The individual was removed April 13, 2021 on the GNF, Quemado Ranger District, within Catron County, New Mexico. Law enforcement believed the remains belonged to a potential homicide or missing person. The New Mexico State Police (NMSP) Crime Scene Team were notified and excavated the remains, taking them to the Office of the Medical Investigator (OMI, Case 2021–03086) in Albuquerque, New Mexico. Archaeological material was not found in the immediate area. The location is not within a previously recorded archaeological site. An OMI Forensic Anthropologist released the remains back to GNF November 8, 2021, as the remains did not indicate medico-legal significance.

Determinations

The GNF has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- The one lot of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- The Fort Sill Apache Tribe of Oklahoma; Hopi Tribe of Arizona; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Pueblo of Acoma, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico and have priority for disposition of the human remains and associated funerary objects described in this notice.

Claims for Disposition

Written claims for disposition of the human remains and associated funerary objects in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains and associated funerary objects in this notice will become unclaimed human remains and associated funerary objects. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains and associated funerary objects in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, the GNF must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains and associated funerary objects are considered a single request and not competing requests. The GNF is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04377 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039518; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Davis, Davis, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Davis (UC Davis) intends to repatriate certain cultural items that meet the definition of sacred objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after April 17, 2025.

ADDRESSES: Megon Noble, NAGPRA Project Manager, University of California, Davis, 412 Mrak Hall, One Shields Avenue, Davis, CA 95616, telephone (530) 752–8501, email *mnoble@ucdavis.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UC Davis, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The

National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of seven cultural items have been requested for repatriation. The seven sacred objects are four baskets and three lots of regalia. The University is unaware of any treatment of the sacred objects with pesticides, preservatives, or other substances that represent a potential hazard to the objects or to persons handling the objects.

There are four baskets, (CHM–384, 385, 386, 387) that were purchased by C. Hart Merriam on August 21, 1906, from ''the Indian village near Kelseyville'' in Lake County, California. Merriam spells the village as, ''Ho-hla-nap'po'' but descendants spell it as Xa-Be-Na-Po or Xa-La-Na-Po. The Big Valley Band of Pomo Indians Tribal members are descendants of Xa-Ben-Na-Po.

There are three catalog numbers/lots of feather sticks (CHM–1517 A–H, 1519 A–B, 1520), that were collected by C. Hart Merriam at some point between 1894 and the mid-1930s. Consultation indicates these items are associated with Big Valley Band of Pomo Indians of the Big Valley Rancheria, California. Original documentation for these items is unknown, however, after consultation with several tribes, the regalia had been identified as likely made by Pomo or Patwin tribes.

Determinations

The UC Davis has determined that:

- The seven sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Big Valley Band of Pomo Indians of the Big Valley Rancheria, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the UC Davis must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The UC Davis is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04384 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039471; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of Agriculture, Forest Service, Los Padres National Forest, Solvang, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of Agriculture, Forest Service, Los Padres National Forest intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after April 17, 2025. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: Esther Morgan, Los Padres National Forest, 1980 Old Mission Drive, Solvang, CA 93463, telephone (805) 697–6406, email *esther.morgan@usda.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Los Padres National Forest, and additional information on the human remains or cultural items in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, one individual has been reasonably identified. No associated funerary objects are present. In late September 2021, a human remain laying on the surface of the ground was found by hikers near Arroyo Seco Road in Monterey County, California on National Forest System lands. The discovery was treated as a possible crime scene and the skull was delivered to the Monterey County Coroner. Monterey County Search and Rescue conducted a thorough search of the area and did not find any additional human remains or associated objects. Due to the age of the human remain it was determined to not be a crime scene and it was released to the Forest Service in July of 2022.

Determinations

The Los Padres National Forest has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California has priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by March 18, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after April 17, 2025. If competing claims for disposition are received, the Los Padres National Forest must determine the

most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The Los Padres National Forest is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04360 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039482; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: California State University, Sacramento, Sacramento, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the California State University, Sacramento intends to repatriate a certain cultural item that meets the definition of an object of cultural patrimony and that has a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural item in this notice may occur on or after April 17, 2025.

ADDRESSES: Dr. Mark R. Wheeler, Senior Advisor to President Luke Wood, California State University, Sacramento, 6000 J Street, Sacramento, CA 95819, telephone (916) 460–0490, email *mark.wheeler@csus.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the California State University, Sacramento, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one cultural item has been requested for repatriation. The one object of cultural patrimony is a baby cradle basket. The basket was made by Mrs. Rosie Fred, a member of the Big Valley Band of Pomo Indians, in the 1950s and purchased by Louis Arthur Payen in the 1960s from Ramona McCloud, also a member of the Big Valley Band of Pomo Indians. Mr. Payen donated the basket to Sacramento State in either the late 1960s or early 1970s, where it has since been curated under accession number 1974–19–12.

Determinations

The California State University, Sacramento has determined that:

- The one object of cultural patrimony described in this notice has ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural item described in this notice and the Big Valley Band of Pomo Indians of the Big Valley Rancheria, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural item in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the California State University, Sacramento must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The California State University, Sacramento is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04375 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039515; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Sherman Institute, Riverside County, CA.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, one individual was collected at the Sherman Institute, Riverside County, CA. The human remains are hair clippings collected from one individual who was recorded as being 19 years old and identified as ''Ukie.'' Samuel H. Gilliam took the hair

clippings at the Sherman Institute between 1930 and 1933. Gilliam sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Round Valley Indian Tribes, Round Valley Reservation, California.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04381 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039512; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Sherman Institute, Riverside County, CA.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, one individual was collected at the Sherman Institute, Riverside County, CA. The human remains are hair clippings collected from one individual who was recorded as being 15 years old and identified as ''Concow.'' Samuel H. Gilliam took the hair clippings at the Sherman Institute between 1930 and 1933. Gilliam sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Mooretown Rancheria of Maidu Indians of California and the Round Valley Indian Tribes, Round Valley Reservation, California.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04378 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039472; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Wisconsin Oshkosh, Oshkosh, WI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Wisconsin Oshkosh (UWO) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after April 17, 2025.

ADDRESSES: Adrienne Frie, University of Wisconsin Oshkosh, 800 Algoma Blvd., Oshkosh, WI 54901, telephone (920) 424–1365, email *friea@uwosh.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UWO, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A single box containing biface fragments was discovered at the University of Wisconsin Oshkosh with documentation that read, ''Riverside Site. 20–ME–1 Menominee County, Michigan. 7 Horstone biface fragment. Gift from Robert Hruska. Date of donation unknown. No accession number.'' The Riverside Site (20–ME–0001) was excavated jointly by the Oshkosh Public Museum (OPM) and Milwaukee Public Museum (MPM) between 1961 and 1963. The excavation was led by Robert Hruska of OPM and Robert Ritzenthaler of MPM. Most of the site collections were donated to the MPM by the OPM on September 26, 1968. The Riverside Cemetery site has evidence of occupation dating from the Late Archaic (2550–300 B.C.) through the Late Woodland Period (A.D. 500–1100). The bifaces held by UWO, known as Hornstone Bifaces, were an extremely common funerary object at the Riverside Site. Large caches of these bifaces were recorded by Hruska in his excavations. The seven associated funerary objects are seven chipped-stone biface fragments.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location, expert opinion, oral tradition, and archaeological evidence of the associated funerary objects described in this notice.

Determinations

UWO has determined that:

- The seven objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a reasonable connection between the associated funerary objects described in this notice and the Menominee Indian Tribe of Wisconsin.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the associated funerary objects in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, UWO must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. UWO is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04361 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039467; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Flandreau Indian School, Moody County, SD and the Chemawa (Salem) Indian School, Marion County, OR.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, two individuals were collected at the Flandreau Indian School, Moody County, SD. The human remains are hair clippings collected from one individual who was recorded as being 18 years old and one individual who was recorded as being 14 years old and identified as ''Flathead.'' George E. Peters took the hair clippings at the Flandreau Indian School between 1930 and 1933. Peters sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Based on the information available, human remains representing, at minimum, three individuals were collected at the Chemawa (Salem) Indian School, Marion County, OR. The human remains are hair clippings collected from one individual who was recorded as being 19 years old, one individual who was recorded as being 17 years old, and one individual who was recorded as being 15 years old and identified as ''Flathead.'' James T. Ryan took the hair clippings at the Chemawa (Salem) Indian School between 1930 and 1933. Ryan sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of five individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Confederated Tribes and Bands of the Yakama Nation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04358 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039486; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Mütter Museum of the College of Physicians of Philadelphia, Philadelphia, PA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Mütter Museum of the College of Physicians of Philadelphia has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Kate Quinn, Executive Director, Mütter Museum and Historic Medical Library, College of Physicians of Philadelphia, 19 S 22nd Street, Philadelphia, PA 19103, telephone (215) 399–2336, email *kquinn@collegeofphysicians.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Mütter Museum of the College of Physicians of Philadelphia, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, three individuals have been identified. No associated funerary objects are present. The human remains consist of a radius (1277.24) belonging to one individual and a cranium (1006.143) belonging to another. A placenta belonging to a third individual was used to create a corrosion preparation (1090.7512). (Corrosion preparations are ones in which the vasculature of an organ has been injected with a wax-like substance and the biological material then corroded away with an acidic material to leave the wax-like substance. Although some microscopic biological material may adhere to the wax, such preparations have been considered representations of biological material made from a non-biological substance.) Dr. James Ewing Mears donated the radius and cranium to the museum. The date of donation is unknown, but Mears was a fellow of the College from 1868 until his death in 1919. The placenta from which the corrosion was created was donated by a Dr. Strangerwald [sometimes written Strangerwold] to the Austrian physician Josef Hyrtl, who prepared the corrosion. The Mütter Museum purchased 24 placental corrosions, including this one, from Hyrtl in 1874. Records indicate that the radius (1277.24) was removed from ''an ancient graveyard'' near Honolulu and that the cranium (1006.143) was from Oahu. No location is available for the placenta used to create the corrosion preparation (1090.7512), but the placenta was indicated to be from a South Sea Islander and the doctor who donated the placenta to Josef Hyrtl resided in Hawaii. No associated funerary objects are present.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The Mütter Museum of the College of Physicians of Philadelphia has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native Hawaiian ancestry.
- There is a connection between the human remains described in this notice and the Hui Iwi Kuamo'o.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows,

by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the Mütter Museum of the College of Physicians of Philadelphia must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The Mütter Museum of the College of Physicians of Philadelphia is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04374 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039484; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the American Museum of Natural History in New York County, NY, the Sherman Institute, Riverside County, CA, and the Carson Indian School (now Stewart Indian School), Carson City County, NV.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, two individuals were collected at the American Museum of Natural History in New York County, NY. The human remains are hair clippings collected from one individual who was recorded as being 27 years old and one individual who was recorded as being 20 years old and identified as ''Klamath.'' Henry L. Shapiro took the hair clippings at the American Museum of Natural History between 1930 and 1933. Shapiro sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Based on the information available, human remains representing, at minimum, 10 individuals were collected at the Sherman Institute, Riverside County, CA. The human remains are hair clippings collected from one individual who was recorded as being 20 years old, one individual recorded as being 19 years old, two individuals recorded as being 18 years old, two individuals recorded as being 17 years old, one individual recorded as being 16 years old, and three individuals recorded as being 15 years old and identified as ''Klamath.'' Samuel H. Gilliam took the hair clippings at the Sherman Institute between 1930 and 1933. Gilliam sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Based on the information available, human remains representing, at minimum, one individual was collected at the Carson Indian School (now Stewart Indian School), Carson City County, NV. The human remains are hair clippings collected from one individual who was recorded as being 14 years old and identified as ''Modoc.'' Frederic Snyder took the hair clippings at the Carson Indian School between 1930 and 1933. Snyder sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of 13 individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Klamath Tribes.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 4, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04372 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039514; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were collected at the Sherman Institute, Riverside County, CA.

DATES: Repatriation of the human remains in this notice may occur on or after April 17, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email *jpickering@fas.harvard.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at minimum, one individual was collected at the Sherman Institute, Riverside County, CA. The human remains are hair clippings collected from one individual who was recorded as being 20 years old and identified as ''Wailaki.'' Samuel H. Gilliam took the hair clippings at the Sherman Institute between 1930 and 1933. Gilliam sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Grindstone Indian Rancheria of Wintun-Wailaki Indians of California.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after April 17, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: February 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–04380 Filed 3–17–25; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1416]

Certain Hydrodermabrasion Systems and Components Thereof II; Notice of a Commission Determination Not To Review an Initial Determination Granting Complainant's Unopposed Motion To Terminate Without Prejudice the Investigation Based Upon Withdrawal of the Complaint

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined not to review an initial determination (''ID'') (Order No. 15) of the presiding administrative law judge (''ALJ'') granting complainant's unopposed motion to, *inter alia,* terminate without prejudice the investigation based upon withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3115. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 10, 2024, based on a complaint filed on behalf of HydraFacial LLC f/k/a Edge Systems LLC of Long Beach, California (''HydraFacial,'' or ''Complainant''). 89 FR 73446–47 (Sept. 10, 2024). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain hydrodermabrasion systems and components thereof by reason of the infringement of claims 1–12, 14–20, 22–26, 28–37, and 39–45 of U.S. Patent No. 11,865,287 and claims 1–8 and 11–16 of U.S. Patent No. 9,550,052. The Commission's notice of investigation

named as respondents Aesthetics Management Partners of Cordova, Tennessee (''AMP''); Sinclair Pharma U.S. Inc. of Irvine, California and Sinclair Pharma Limited of London, United Kingdom (collectively, ''Sinclair''); EMA Aesthetics, Ltd. of Dublin, Ireland; (''EMA''); and Huadong Medicine Co., Ltd. of Hangzhou, Zhejiang, China (''HMC,'' and with AMP, Sinclair, EMA, and HMC, collectively, ''Respondents''). The Office of Unfair Import Investigations is not a party in this investigation.

On September 26, 2024, the ALJ issued an initial determination (Order No. 5) setting the target date in this investigation for April 10, 2026, with the initial determination on violation due no later than December 10, 2025. On October 2, 2024, HydraFacial filed a petition for review of Order No. 5. On October 9, 2024, Respondents filed an opposition to HydraFacial's petition (''Opposition'').[1]

On October 28, 2024, the Commission issued a notice of its determination not to review Order No. 5. *See also* Commission Determination to Deny Complainant's Petition for Reconsideration of the Commission's Decision Not to Review an Initial Determination Setting a Target Date (Nov. 21, 2024).

On February 18, 2025, complainant HydraFacial filed an unopposed motion to, *inter alia,* terminate this investigation based on withdrawal of the complaint (''Motion''). Mot. at 1.

Complainant certifies that it conferred with Respondents with respect to this Motion. *Id.* Complainant reports that Respondents do not oppose the Motion and waived the two-business day requirement. *Id.*

On February 19, 2025, the ALJ issued the subject ID. The ID granted the Motion for good cause shown and because no party to this investigation opposes. ID at 2.

No petitions for review were filed. The Commission has determined not to review the ID.

The Commission vote for this determination took place on March 11, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 12, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–04317 Filed 3–17–25; 8:45 am]

BILLING CODE 7020–02–P

[1] Respondents noted that respondents H.R. Meditech and Advanced Aesthetics Services LLC did not appear in this investigation and did not participate in Respondents' Opposition. *See* Respondents' Opposition at 1 n. 1.

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—MLCommons Association

Notice is hereby given that, on February 26, 2025, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), MLCommons Association (''MLCommons'') filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, SAS Multi Meta Multiverse, Vallauris, FRENCH REPUBLIC; Secludy Inc., San Francisco, CA; Robert L'Heureux (individual member), Livermore, CA; Ishmail Guzel (individual member), Ankara, REPUBLIC OF TURKEY; and Xuanli He (individual member), London, UNITED KINGDOM, have been added as parties to this venture.

Also, EDGECORTIX INC., Singapore, REPUBLIC OF SINGAPORE; Calvin Risk, Kloten, SWISS CONFEDERATION; and OMOIKANE A.I. Ltd., London, UNITED KINGDOM, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open and MLCommons intends to file additional written notifications disclosing all changes in membership.

On September 15, 2020, MLCommons filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on September 29, 2020 (85 FR 61032).

The last notification was filed with the Department on December 2, 2024. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on March 7, 2025 (90 FR 11550).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2025–04432 Filed 3–17–25; 8:45 am]

BILLING CODE P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0061]

Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Monthly notice.

SUMMARY: Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person.

DATES: Comments must be filed by April 17, 2025. A request for a hearing or petitions for leave to intervene must be filed by May 19, 2025. This monthly notice includes all amendments issued, or proposed to be issued, from January 31, 2025, to February 27, 2025. The last monthly notice was published on February 18, 2025.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0061. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–

A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Kathleen Entz, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2464; email: *Kathleen.Entz@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0061, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0061.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal Rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0061, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

For the facility-specific amendment requests shown in this notice, the Commission finds that the licensees' analyses provided, consistent with section 50.91 of title 10 of the *Code of Federal Regulations* (10 CFR) ''Notice for public comment; State consultation,'' are sufficient to support the proposed determinations that these amendment requests involve NSHC. Under the Commission's regulations in 10 CFR 50.92, operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on these proposed determinations. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determinations.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination for any of these amendments, any hearing will take place after issuance. The Commission expects that the need to take action on any amendment before 60 days have elapsed will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a

significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (*https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053*) and on the NRC's public website at *https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate.*

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the ''Guidance for Electronic Submissions to the NRC'' (ADAMS Accession No. ML13031A056) and on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html.*

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *Hearing.Docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals/getting-started.html.* After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at *https://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensees' proposed NSHC determinations. For further details with respect to these license amendment applications, see the applications for amendment, which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT REQUESTS

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2, Will County, IL; Byron Station, Unit Nos. 1 and 2, Ogle County, IL; Constellation Energy Generation, LLC; Calvert Cliffs Nuclear Power Plant, Units 1 and 2; Calvert County, MD; Constellation Energy Generation, LLC; R.E. Ginna Nuclear Power Plant; Wayne County, New York	
Docket Nos	50–244, 50–317, 50–318, 50–454, 50–455, 50–456, 50–457.
Application date	December 9, 2024.
ADAMS Accession No	ML24344A270.
Location in Application of NSHC	Pages 3–5 of Attachment 1.
Brief Description of Amendments	The amendments propose adoption of Technical Specification Task Force-475, Revision 1, ''Control Rod Notch Testing Frequency and SRM [Supplier Relationship Management] Insert Control Rod Action.''
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC 4300 Winfield Road, Warrenville, IL 60555.
NRC Project Manager, Telephone Number	Joel Wiebe, 301–415–6606.
Constellation Energy Generation, LLC; Clinton Power Station, Unit No. 1; DeWitt County, IL; Constellation Energy Generation, LLC; LaSalle County Station, Units 1 and 2; LaSalle County, IL; Constellation Energy Generation, LLC; Limerick Generating Station, Units 1 and 2; Montgomery County, PA; Constellation Energy Generation, LLC; Peach Bottom Atomic Power Station, Units 2 and 3; York County, PA; Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY; Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Unit 2; Oswego County, NY	
Docket Nos	50–461, 50–333, 50–373, 50–374, 50–352, 50–353, 50–410, 50–277, 50–278.
Application date	January 31, 2025.
ADAMS Accession No	ML25031A384.
Location in Application of NSHC	Pages 6–7 of Attachment 1.
Brief Description of Amendments	The proposed amendments request adoption of Technical Specifications Task Force (TSTF) Traveler, TSTF–597, Revision 0, ''Eliminate LCO [Limiting Condition for Operation] 3.0.3 Mode 2 Requirement.'' TSTF–597 revises LCO 3.0.3 to eliminate the requirement to enter Mode 2.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 101 Constitution Ave. NW, Suite 400 East, Washington, DC 20001.
NRC Project Manager, Telephone Number	Scott Wall, 301–415–2855.
Duke Energy Carolinas, LLC; Oconee Nuclear Station, Units 1, 2, and 3; Oconee County, SC	
Docket Nos	50–269, 50–270, 50–287.
Application date	January 30, 2025.
ADAMS Accession No	ML25030A354.
Location in Application of NSHC	Pages 6–8 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specification 3.7.8, ''Emergency Condenser Circulating Water (ECCW) System,'' Surveillance Requirement 3.7.8.3 to reflect variable Condenser Circulating Water inlet temperature limits.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Tracey Mitchell LeRoy, Deputy General Counsel, Duke Energy Corporation, 525 S Tryon Street, Charlotte, NC 28202.
NRC Project Manager, Telephone Number	Shawn Williams, 301–415–1009.
National Institute of Standards and Technology (NIST), Center for Neutron Research Test Reactor, Montgomery County, Maryland	
Docket No	50–184.
Application date	December 19, 2024.
ADAMS Accession No	ML25014A396 (Package).
Location in Application of NSHC	Pages 1–2 of ML25014A398.
Brief Description of Amendment	The proposed amendment would revise Table 3.2.2, ''Reactor Safety System Channels Minimum Nuclear and Process Channels Required,'' and Table 4.2.2, ''Surveillance Requirements for the Scram and Confinement Channels,'' in the technical specifications. Specifically, the proposed changes to Table 3.2.2 in Technical Specification 3.2.2, ''Reactor Safety System Channels,'' would remove footnote 2, which allows one of the three flow scram channels to be bypassed for periods of maintenance during reactor operation. The proposed changes to Table 4.2.2 in Technical Specification 4.2.2, ''Reactor Safety System Channels,'' would specify that both the inner and outer plenum flow scram channels need to be channel tested before reactor startup after a reactor shutdown of longer than 24 hours, or quarterly, and would require both scram channels to be calibrated annually.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Lauren Didiuk, Acting Chief Counsel—National Institute of Standards and Technology, 100 Bureau Dr., Gaithersburg, MD 20899.
NRC Project Manager, Telephone Number	Justin Hudson, 301–287–0538.
Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA	
Docket Nos	50–275, 50–323.

LICENSE AMENDMENT REQUESTS—Continued

Application date	December 24, 2024.
ADAMS Accession No	ML24359A003.
Location in Application of NSHC	Pages 4–6 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specifications to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–541, ''Add Exceptions to Surveillance Requirements for Valves and Dampers Locked in the Actuated Position,'' which is an approved change to the Standard Technical Specifications.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA

Docket Nos	50–275, 50–323.
Application date	December 24, 2024.
ADAMS Accession No	ML24359A002.
Location in Application of NSHC	Pages 6–7 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specifications (TSs) to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–505, ''Provide Risk-Informed Extended Completion Times—RITSTF Initiative 4b,'' for TS 3.3.1, ''Reactor Trip System (RTS) Instrumentation,'' and TS 3.3.2, ''Engineered Safety Feature Actuation System (ESFAS) Instrumentation.''
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA

Docket Nos	50–275, 50–323.
Application date	December 31, 2024.
ADAMS Accession No	ML24366A127.
Location in Application of NSHC	Pages 7–8 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise technical specification completion times to be consistent with NUREG–1431, Revision 5, ''Standard Technical Specifications Westinghouse Plants,'' dated September 2021.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA

Docket Nos	50–275, 50–323.
Application date	December 31, 2024.
ADAMS Accession No	ML24366A169.
Location in Application of NSHC	Pages 20–21 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specifications 1.1, ''Definitions'' and 5.5, ''Programs and Manuals,'' to use the Analysis and Measurement Corporation online monitoring methodology.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Southern Nuclear Operating Company, Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; Appling County, GA; Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL; Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 1 and 2; Burke County, GA; Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA

Docket Nos	50–321, 50–348, 50–364, 50–366, 50–424, 50–425, 52–025, 52–026.
Application date	January 23, 2025.
ADAMS Accession No	ML25023A218.
Location in Application of NSHC	Pages 6–8 of Enclosure 2.
Brief Description of Amendments	The proposed amendments would remove the unit staff qualification requirements from the respective plant Technical Specifications 5.3.1, and relocate control of the unit staff qualification requirements to the Quality Assurance Topical Report for Hatch, Units 1 and 2, Farley, Units 1 and 2, and Vogtle, Units 1 and 2, and Nuclear Development Quality Assurance Manual for Vogtle, Units 3 and 4, consistent with the guidance in NRC Administrative Letter 95–06, ''Relocation of Technical Specification Administrative Controls related to Quality Assurance,'' dated December 12, 1995.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.

LICENSE AMENDMENT REQUESTS—Continued

NRC Project Manager, Telephone Number	John Lamb, 301–415–3100.

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA

Docket Nos	52–025, 52–026.
Application date	January 23, 2025.
ADAMS Accession No	ML25023A275.
Location in Application of NSHC	Pages E–32—E–33 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise a number of technical specification-required actions applicable in shutdown (Operational Modes 5 and 6) as described in their letter dated January 23, 2025.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.
NRC Project Manager, Telephone Number	G. Ed Miller, 301–415–2481.

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA

Docket Nos	52–025, 52–026.
Application date	July 25, 2024.
ADAMS Accession No	ML24207A252.
Location in Application of NSHC	Pages E–7—E–9 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specification (TS) 3.7.6, ''Main Control Room Emergency Habitability System (VES),'' Action A and Surveillance Requirement 3.7.6.6 related to inoperable valves and/or dampers.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.
NRC Project Manager, Telephone Number	John Lamb, 301–415–3100.

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA

Docket Nos	52–025, 52–026.
Application date	January 24, 2025.
ADAMS Accession No	ML25024A238.
Location in Application of NSHC	Pages E–13—E–14 of the Enclosure.
Brief Description of Amendments	The proposed amendments would modify Vogtle, Units 3 and 4, Combined Operating License, Appendix A, Technical Specification (TS), 3.3.15, ''Engineered Safety Feature Actuation System (ESFAS) Actuation Logic—Operating,'' and TS 3.3.16, ''Engineered Safety Feature Actuation System (ESFAS) Actuation Logic—Shutdown,'' to move surveillance requirements to other limiting conditions for operation to more appropriately address the scope and the required actions for the various components as described in their letter dated January 24, 2025.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.
NRC Project Manager, Telephone Number	Jack Minzer Bryant, 301–415–0610.

Vistra Operations Company LLC; Comanche Peak Nuclear Power Plant, Unit Nos. 1 and 2; Somervell County, TX

Docket Nos	50–445, 50–446.
Application date	December 16, 2024.
ADAMS Accession No	ML24351A232.
Location in Application of NSHC	Pages 2–3 of the Enclosure.
Brief Description of Amendments	The proposed amendments would modify the Comanche Peak Nuclear Power Plants, Units 1 and 2, technical specifications to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–522, ''Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month,'' which would revise the surveillance requirements for certain ventilations systems with heaters operating from 10 continuous hours to 15 continuous minutes.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Roland Backhaus, Senior Lead Counsel—Nuclear, Vistra Corp., 325 7th Street NW, Suite 520, Washington, DC 20004.
NRC Project Manager, Telephone Number	Dennis Galvin, 301–415–6256.

Vistra Operations Company LLC; Comanche Peak Nuclear Power Plant, Unit Nos. 1 and 2; Somervell County, TX

Docket Nos	50–445, 50–446.
Application date	December 16, 2024.
ADAMS Accession No	ML24351A234.
Location in Application of NSHC	Pages 1–3 of the Enclosure.
Brief Description of Amendments	The proposed amendments would modify technical specification requirements in Section 1.3 regarding Completion Times and Section 3.0 regarding Limiting Condition for Operation and Surveillance Requirement usage. These changes are consistent with the NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF–529, Revision 4, ''Clarify Use and Application Rules.''

LICENSE AMENDMENT REQUESTS—Continued

Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Roland Backhaus, Senior Lead Counsel—Nuclear, Vistra Corp., 325 7th Street NW, Suite 520, Washington, DC 20004.
NRC Project Manager, Telephone Number	Dennis Galvin, 301–415–6256.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last monthly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these actions, were published in the **Federal Register** as indicated in the safety evaluation for each amendment.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to each action, see the amendment and associated documents such as the Commission's letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession numbers for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT ISSUANCES

DTE Electric Company; Fermi, Unit 2; Monroe County, MI

Docket No	50–341.
Amendment Date	February 18, 2025.
ADAMS Accession No	ML24358A237.
Amendment No	230.
Brief Description of Amendment	The amendment approved revision to the Fermi-2 updated final safety analysis report, to allow the use of a risk-informed methodology to address the impact of potential debris sources from a postulated high-energy line break on the emergency core cooling system suppression pool strainer performance. The Fermi technical specifications are not affected by this amendment.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Florida Power & Light Company; Turkey Point Nuclear Generating Unit Nos. 3 and 4; Miami-Dade County, FL

Docket Nos	50–250, 50–251.
Amendment Date	February 12, 2025.
ADAMS Accession No	ML25043A428.
Amendment Nos	301 (Unit 3) and 294 (Unit 4).
Brief Description of Amendments	The amendments revised the Turkey Point Nuclear Generating, Unit Nos. 3 and 4, licensing basis by incorporating advanced fuel features (*i.e.,* AXIOM® cladding, ADOPT™ fuel pellets, and a PRIME™ fuel skeleton), extend technical specification (TS) surveillance intervals, modify TS allowable values, apply an updated instrument channel setpoint uncertainty evaluation methodology, and make conforming changes to the Updated Final Safety Analysis Report to facilitate a transition to 24-month fuel cycles.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN

Docket Nos	50–327, 50–328.
Amendment Date	February 3, 2025.
ADAMS Accession No	ML24345A104.
Amendment Nos	369 (Unit 1) and 363 (Unit 2).
Brief Description of Amendments	The amendments revised the Sequoyah Nuclear Plant, Units 1 and 2, Technical Specification (TS) 3.8.1, ''AC [alternating current] Sources—Operating,'' to delete Surveillance Requirement (SR) 3.8.1.8, and revised TS 3.8.2, ''AC Sources—Shutdown,'' to delete the reference to SR 3.8.1.8.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

LICENSE AMENDMENT ISSUANCES—Continued

Union Electric Company; Callaway Plant, Unit No. 1; Callaway County, MO	
Docket No	50–483.
Amendment Date	February 13, 2025.
ADAMS Accession No	ML24362A040.
Amendment No	238.
Brief Description of Amendment	The amendment revised the Callaway Plant, Unit No. 1, technical specifications (TSs) to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–569, Revision 2, ''Revise Response Time Testing Definition.'' The amendment revised the TS definitions in Callaway TS section 1.1 for ''ENGINEERED SAFETY FEATURE (ESF) RESPONSE TIME'' and ''REACTOR TRIP SYSTEM (RTS) RESPONSE TIME'' that are referenced in surveillance requirements.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS	
Docket No	50–482.
Amendment Date	February 25, 2025.
ADAMS Accession No	ML24347A243.
Amendment No	242.
Brief Description of Amendment	The amendment modified the implementation date of License Amendment No. 239 for the Wolf Creek Generating Station, Unit 1, for the use of portable lighting in the fire protection program.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS	
Docket No	50–482.
Amendment Date	February 26, 2025.
ADAMS Accession No	ML25043A149.
Amendment No	243.
Brief Description of Amendment	The amendment revised the technical specification definitions for engineered safety feature response time and reactor trip system response time to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–569, Revision 2, ''Revise Response Time Testing Definition.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Dated: March 13, 2025.

For the Nuclear Regulatory Commission.

Jamie Pelton,

Acting Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2025–04403 Filed 3–17–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1214 and K2025–1213; MC2025–1215 and K2025–1214; MC2025–1216 and K2025–1215; MC2025–1217 and K2025–1216; MC2025–1219 and K2025–1218; MC2025–1220 and K2025–1219]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 20, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*https://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). Section II also

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–1214 and K2025–1213; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 636 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* March 20, 2025.

2. *Docket No(s).:* MC2025–1215 and K2025–1214; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 637 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* March 20, 2025.

3. *Docket No(s).:* MC2025–1216 and K2025–1215; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1343 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* March 20, 2025.

4. *Docket No(s).:* MC2025–1217 and K2025–1216; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 638 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Samuel Robinson; *Comments Due:* March 20, 2025.

5. *Docket No(s).:* MC2025–1219 and K2025–1218; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 639 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* March 20, 2025.

6. *Docket No(s).:* MC2025–1220 and K2025–1219; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 640 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* March 20, 2025.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–04439 Filed 3–17–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102635; File No. SR–MIAX–2025–06]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule To Adopt Fees for Dedicated Cross Connection Access to the Testing Systems Environment

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2025, Miami International Securities Exchange, LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Fee Schedule to establish a fee for market participants that choose to utilize the Exchange's testing systems environment via a dedicated cross connection.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/miax-options/rule-filings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-06*.

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for

Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-06*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–MIAX–2025–06 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–MIAX–2025–06. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-06*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MIAX–2025–06 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04323 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102640; File No. SR–ISE–2025–09]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Its FLEX Trading Rules

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 7, 2025, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its FLEX trading rules to clarify how the Exchange would handle FLEX orders if the designated length of a FLEX auction period exceeds the market close.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rulefilings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-ISE-2025-09.*

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-ISE-2025-09*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–ISE–2025–09 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–ISE–2025–09. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-ISE-2025-09*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–ISE–2025–09 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04328 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102625; File No. SR–CboeBZX–2025–008]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List Options on the Fidelity Ethereum Fund

March 12, 2025.

On January 24, 2025, Cboe BZX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list options on the Fidelity Ethereum Fund. On February 3, 2025 the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in

inspection and copying at the principal office of SRO.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

the **Federal Register** on February 13, 2025.[3] The Commission received no comments regarding the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is March 30, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 14, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2025–008).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04346 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102634; File No. SR–EMERALD–2025–06]

Self-Regulatory Organizations; MIAX Emerald, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule To Adopt Fees for Dedicated Cross Connection Access to the Testing Systems Environment

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2025, MIAX Emerald, LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Fee Schedule to establish a fee for market participants that choose to utilize the Exchange's testing systems environment via a dedicated cross connection.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/emerald-options/rule-filings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-EMERALD-2025-06*.

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-EMERALD-2025-06*) or by sending an email to *rule-comments@sec.gov*. Please include file number SR–EMERALD–2025–06 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–EMERALD–2025–06. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-EMERALD-2025-06*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–EMERALD–2025–06 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04322 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102617; File No. SR–NYSECHX–2025–04]

Self-Regulatory Organizations; NYSE Chicago, Inc.; Notice of Filing of Proposed Rule Change for Amendments to Rules 1.1, 5, 7.18, 8 and Article 22, Rules 24–27

March 12, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on March 10, 2025, the NYSE Chicago, Inc.

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[3] *See* Securities Exchange Act Release No. 102373 (Feb. 7, 2025), 90 FR 9560.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

(''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes amendments to Rules 5, 7.18, and 8 based on the rules of its affiliate NYSE Arca, Inc., to permit the listing and trading of certain Exchange Traded Products on the Exchange, and to Rule 1.1 to include Exchange-Traded Fund Shares in the definition of ''UTP Derivative Securities Product.'' The Exchange also propose to delete redundant listing rules set forth in Article 22, Rules 24–27. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amendments to (1) Rules 5, 7.18, and 8 to permit the listing and trading of certain Exchange Traded Products (''ETP'') on the Exchange,[4] and (2) Rule 1.1 to include Exchange-Traded Fund Shares in the definition of ''UTP Derivative Securities Product.'' The proposed rule changes would adopt the initial and continued listing standards for these products based on the rules of the Exchange's affiliate NYSE Arca, Inc (''NYSE Arca'') without substantive change. The Exchange also proposes to delete redundant listing rules in Article 22, Rules 24–27.

Background

Current rules permit the trading on the Exchange of securities, including ETPs, on an unlisted trading privileges (''UTP'') basis. Rule 1.1(k) defines ''UTP Exchange Traded Product'' to mean one of the following ETPs that trades on the Exchange on a UTP basis:

- Equity Linked Notes, Investment Company Units listed pursuant to NYSE Arca Rule 5.2–E(j)(3) and Index Fund Shares listed pursuant to Cboe BZX Exchange, Inc. (''Cboe BZX'') Rule 14.11(c) or Nasdaq Stock Exchange LLC (''Nasdaq'') Rule 5705(b);
- Index-Linked Exchangeable Notes;
- Equity Gold Shares;
- Equity Index-Linked Securities;
- Commodity-Linked Securities;
- Currency-Linked Securities;
- Fixed-Income Index-Linked Securities;
- Futures-Linked Securities;
- Multifactor-Index-Linked Securities;
- Trust Certificates;
- Currency and Index Warrants;
- Portfolio Depository Receipts;
- Trust Issued Receipts;
- Commodity-Based Trust Shares;
- Currency Trust Shares;
- Commodity Index Trust Shares;
- Commodity Futures Trust Shares;
- Partnership Units;
- Paired Trust Shares;
- Trust Units, Managed Fund Shares;
- Managed Trust Securities;
- Managed Portfolio Shares; and
- Active Proxy Portfolio Shares listed pursuant to NYSE Arca, Inc. Rule 8.601–E, Tracking Fund Shares listed pursuant to Cboe BZX Rule 14.11(m), and Proxy Portfolio Shares listed pursuant to Nasdaq Rule 5750.

The Exchange proposes substantially identical rules to those of NYSE Arca for the qualification and listing of ETPs on the Exchange. Each proposed rule corresponds to the same rule number as the NYSE Arca rule on which it is based and each is being adopted in substantially the same form.

Proposed Rule Change

The Exchange proposes certain non-substantive, technical and conforming changes throughout the proposed rules, as follows. In addition to minor spelling, grammatical and other similar changes and edits, the Exchange proposes to use:

- ''Exchange'' rather than ''NYSE Arca'' or ''NYSE Arca Marketplace'';
- ''will'' rather than ''shall'';
- ''Participant'' rather than ''ETP Holder'' to reflect the Exchange's membership structure; and
- ''Core Trading Hours'' rather than ''NYSE Arca Marketplace trading hours.''

Further, as discussed below, the Exchange proposes to amend Rule 7.18 (Halts) to add a new section (c)(2) governing trading halts for listed ETPs based on the corresponding NYSE Arca rule. The proposed rules would accordingly reference Rule 7.18.

Rule 1.1

The Exchange proposes to amend Rule 1.1, which sets forth definitions of terms used in Exchange rules, including the meanings of ''Derivative Securities Product'' and ''UTP Derivative Securities Product.'' Specifically, the Exchange proposes to amend the definition of ''UTP Derivative Securities Product'' to include Exchange-Traded Fund Shares listed pursuant to NYSE Arca Rule 5.2–E(j)(8), Exchange-Traded Fund Shares listed pursuant to New York Stock Exchange LLC (''NYSE'') Rule 5.2(j)(8), Exchange-Traded Fund Shares listed pursuant to Cboe BZX Rule 14.11(l), and Exchange Traded Fund Shares listed pursuant to Nasdaq Rule 5704 as additional types of Exchange Traded Product (''ETPs'') that may trade on the Exchange pursuant to unlisted trading privileges (''UTP'').

To effect this change, the Exchange proposes to add a bullet point listing ''Exchange Traded Fund Shares listed pursuant to NYSE Arca, Inc. Rule 5.2–E(j)(8), New York Stock Exchange LLC (''NYSE'') Rule 5.2(j)(8), or Cboe BZX Rule 14.11(l) and Exchange Traded Fund Shares listed pursuant to Nasdaq Stock Market LLC Rule 5704'' at the end of Rule 1.1 to include them in the enumerated list of Derivative Securities Products that may trade on the Exchange. The Exchange also proposes non-substantive changes to accommodate the addition of this bullet point as the final item in the bulleted list in Rule 1.1.

The Exchange believes that the proposed change would ensure that the definition of ''UTP Derivative Securities Product'' in Rule 1.1 reflects a complete list of Derivative Securities Products that may trade on the Exchange pursuant to UTP, thereby improving the clarity and transparency of Exchange Rules.

Proposed Rule 5—Exchange Traded Products Listing Requirements

The Exchange proposes to amend Rule 5, titled ''Trading on an Unlisted

[4] Rule 1.1(k) defines ''Exchange Traded Product'' as a security that meets the definition of ''derivative securities product'' in Rule 19b–4(e) under the Securities and Exchange Act of 1934 (the ''Act'').

Trading Privileges Basis,'' [5] to add listing (proposed Rule 5.2) and continued listing (proposed Rule 5.5) rules, as follows.

Proposed Rules 5.2(j)(2)–(j)(8)

Proposed Rules 5.2(j)(2)–(j)(8) would permit the Exchange to list and trade the following ETPs:

- Equity Linked Notes that (proposed Rule 5.2(j)(2));
- Investment Company Units (proposed Rule 5.2(j)(3));
- Index-Linked Exchangeable Notes (proposed Rule 5.2(j)(4));
- Equity Gold Shares (proposed Rule 5.2(j)(5));
- Equity Index Linked Securities, Commodity-Linked Securities, Currency-Linked Securities, Fixed Income Index-Linked Securities, Futures-Linked Securities, and Multifactor Index-Linked Securities (proposed Rule 5.2(j)(6));
- Trust Certificates (proposed Rule 5.2(j)(7)); and
- Exchange-Traded Securities (proposed Rule 5.2(j)(8)).

The text of these proposed rules is identical to NYSE Arca Rules 5.2–E(j)(2)–5.2(j)(8), other than certain non-substantive and technical differences explained below.

In order to maintain the same rule numbers as the NYSE Arca rules, the Exchange proposes to mark paragraphs 5.2(a)–(i) [6] and (j)(1) [7] as ''Reserved.''

Proposed Rule 5.2(j)(2)—Equity Linked Notes (''ELNs'')

Proposed Rule 5.2(j)(2) would provide rules for the listing and trading of ELNs. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no substantive differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(2).

Proposed Rule 5.2(j)(3)—Investment Company Units

Proposed Rule 5.2(j)(3) would provide rules for the listing and trading of investment company units, a security that represents an interest in a registered investment company that could be organized as a unit investment trust, an open-end management investment company, or similar entity. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no substantive differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(3).

Proposed Rule 5.2(j)(4)—Index-Linked Exchangeable Notes

Proposed Rule 5.2(j)(4) would provide rules for the listing and trading of index-linked exchangeable notes, which are debt securities exchangeable at the option of the holder (subject to certain requirements). In addition to certain non-substantive, technical and conforming changes described above, the Exchange proposes the following additional non-substantive differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(4): [8]

- To qualify for listing and trading under NYSE Arca Rule 5.2–E(j)(4), an index-linked exchangeable note and its issuer must meet the criteria set forth in NYSE Arca Rule 5.2–E(j)(1) (Other Securities), except that the minimum public distribution would be 150,000 notes with a minimum of 400 public note-holders unless traded in thousand dollar denominations, in which case there is no minimum public distribution and number of holders. The Exchange proposes to reference Article 22, Rule 13 (Tier 1 Listing Requirements for Other Securities), the Exchange's rule that is comparable to NYSE Arca Rule 5.2–E(j)(1), in subparagraphs (a) and (c) of proposed Rule 5.2(j)(4) in order to establish the criteria an issuer and issue must satisfy.
- To qualify for listing and trading under NYSE Arca Rule 5.2–E(j)(4), an index to which an exchangeable note is linked and its underlying securities must meet (1) the procedures in NYSE Arca Rules 5.13–O(b)-(c); or (2) the criteria set forth in subsections (C) and (D) of NYSE Arca Rule 5.2–E(j)(2), the index concentration limits set forth in NYSE Arca Rule 5.13–O(b)(6), and Rule 5.13–O(b)(12) insofar as it relates to Rule 5.13–O(b)(6).[9]

The Exchange does not have and is not proposing a rule for listing of index option contracts comparable to NYSE Arca Rule 5.13–O. The Exchange hence proposes to retain the reference to NYSE Arca Rule 5.13–O in paragraph (d) of proposed Rule 5.2(j)(4) and apply the criteria set forth in NYSE Arca Rule 5.13–O in determining whether an index underlying an index-linked exchangeable note satisfies the requirements of proposed Rule 5.2(j)(4)(d).

- Replace ''further dealings of the Exchange'' in NYSE Arca Rule 5.2–E(j)(4)(f)(v) with ''further dealings on the Exchange'' in proposed Rule 5.2(j)(4)(f)(v).
- Finally, the Exchange proposes to reference its delisting rule contained in Article 22, Rule 4 in subsections (f) and (g) for NYSE Arca's delisting rule.

Proposed Rule 5.2(j)(5)—Equity Gold Shares

Proposed Rule 5.2(j)(5) would provide rules for the listing and trading of equity gold shares, which represent units of fractional undivided beneficial interest in and ownership of the Equity Gold Trust. Other than certain non-substantive, technical and conforming changes described above, there are no differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(5).

Proposed Rule 5.2(j)(6)—Index-Linked Securities

Proposed Rule 5.2(j)(6) would provide rules for the listing and trading of index-linked securities, which are certificates representing an interest in a special purpose trust created pursuant to a trust agreement. In addition to certain non-substantive, technical and conforming changes described above, the Exchange proposes the following additional non-substantive differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(6): [10]

- To qualify for listing and trading under NYSE Arca Rule 5.2–E(j)(6), both the issue and issuer of an index-linked security must meet the criteria in NYSE Arca Rule 5.2–E(j)(1) (Other Securities), with certain specified exceptions. The Exchange proposes to reference Article 22, Rule 13 (Tier 1 Listing Requirements for Other Securities), the Exchange's rule that is comparable to NYSE Arca Rule 5.2–E(j)(1), in proposed Rule 5.2(j)(6) in order to establish the criteria an issue and issuer must satisfy.

[5] Rule 5 would be re-named ''Exchange Traded Products Listed and Traded [sic].''

[6] NYSE Arca Rules 5.2–E(a) and (b) relate to certain requirements and structures unique to NYSE Arca, while NYSE Arca Rules 5.2–E(c)–(g) relate to listing standards for securities that are not ETPs. Finally, NYSE Arca Rule 5.2–E(h) pertains to Unit Investment Trusts (''UITs'') that the Exchange proposes to list and trade pursuant to proposed Rule 5.2(j)(3) (Investment Company Units) or proposed Rule 8.100 (Portfolio Depository Receipts).

[7] NYSE Arca Rule 5.2–E(j)(1) pertains to ''Other Securities'' not otherwise covered by the requirements contained in the other listing rules of NYSE Arca. Article 22, Rule 13 is the Exchange's comparable rule. *See* the discussion, *infra.*

[8] The changes are similar to those made by the Exchange's affiliate NYSE when it adopted NYSE Arca Rule 5.2–E(j)(4). *See* NYSE Rule 5.2(j)(4).

[9] NYSE Arca Rule 5.13–O sets forth criteria for narrow-based and micro narrow-based indexes on which an options contract may be listed without a rule filing under Section 19(b) of the Act. The NYSE Arca rules incorrectly refer to NYSE Arca Rule 5.13–E(b) & (c). The correct reference should be to NYSE Arca's options rules.

[10] The changes are similar to those made by the Exchange's affiliate NYSE when it adopted this rule. *See* NYSE Rule 5.2(j)(6).

• The listing standards for Equity Index-Linked Securities in NYSE Arca Rule 5.2–E(j)(6) reference NYSE Arca Rule 5.3–O in describing the criteria for securities that compose 90% of an index's numerical value and at least 80% of the total number of components. Since the Exchange does not have and is not proposing a rule comparable to NYSE Arca Rule 5.3–O, the Exchange proposes to reference to NYSE Arca Rule 5.3–O in paragraph (B)(I)(1)(b)(2)(iv) of proposed Rule 5.2(j)(6) establishing the initial listing criteria that an index must meet to trade on the Exchange.

• Finally, the Exchange proposes to reference its delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule.

Proposed Rule 5.2(j)(7)—Trust Certificates

Proposed Rule 5.2(j)(7) would provide rules for the listing and trading of trust certificates, which are securities representing an interest in a special purpose trust created pursuant to a trust agreement.

In addition to certain non-substantive, technical and conforming changes described above, the Exchange proposes the following additional non-substantive difference between the proposed rule and NYSE Arca Rule 5.2–E(j)(7).

• Commentary .08 to NYSE Arca Rule 5.2–E(j)(7) provides that, in the event that the Trust Certificates are exchangeable at the option of the holder and contains an Index Warrant, then the ETP Holder must ensure that the holder's account is approved for options trading in accordance with NYSE Arca Rule 9.2–E [11] in order to exercise such rights. The Exchange does not currently have and is not proposing to add rules that pertain to the opening of accounts that are approved for options trading. The Exchange thus proposes to require a Participant to ensure that the account of a holder of a Trust Certificate that is exchangeable, at the holder's option, into securities that participate in the return of the applicable underlying asset is approved for options trading in accordance with NYSE Arca Rule 9.18–O.

• The Exchange proposes to reference its delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule.

Proposed Rule 5.2(j)(8)—Exchange-Traded Fund Shares

Proposed Rule 5.2(j)(8) would establish ''generic'' listing standards for listing and trading ETPs that are permitted to operate in reliance on Rule 6c–11 under the Investment Company Act of 1940 (the ''1940 Act''). Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 5.2–E(j)(8).

Proposed Rule 5.5

Proposed Rule 5.5 would set forth additional continued listing standards and procedures that the Exchange would undertake for non-compliant ETPs. The text of these proposed rules is identical to NYSE Arca Rules 5.5–E(g)(2), (i)–1, and (j)–1, other than certain non-substantive and technical differences describe above. In order to maintain the same rule numbers as the NYSE Arca rules with respect to rules that the Exchange does not propose to adopt, the Exchange would mark paragraphs 5.5(a)–(g),[12] (h)–(i),[13] (j),[14] and (k)–(m) [15] as ''Reserved.''

Proposed Rule 5.5(g)(2)

Proposed Rule 5.5(g)(2) would set forth continued listing criteria, halt parameters and delisting criteria for investment company units listed under proposed Rule 5.2(j)(3). Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no substantive differences between the proposed rule and NYSE Arca Rule 5.5–E(g)(2).

Proposed Rule 5.5(i)–1 [16]

Proposed Rule 5.5(i)–1 would set forth continued listing criteria and delisting criteria for securities listed pursuant to Article 22, Rule 13. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no substantive differences between the proposed rule and NYSE Arca Rule 5.5–E(g)(2).

Proposed Rule 5.5(j)–1

Proposed Rule 5.5(j)–1 would set forth continued listing criteria and delisting criteria for ELNs listed under proposed Rule 5.2(j)(2). Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no substantive differences between the proposed rule and NYSE Arca Rule 5.5–E(j)–1.

Proposed Rule 7.18(c)(2)—Trading Halts for ETPs

The Exchange proposes new Rule 7.18(c)(2) modeled on NYSE Arca Rule 7.18–E(d)(2) that would govern trading halts for listed ETPs for which a Net Asset Value (''NAV'') (and, in the case of Managed Fund Shares under proposed Rule 8.600 and Managed Trust Securities under proposed Rule 8.700, a Disclosed Portfolio), is disseminated. Under the proposed rule, if the Exchange becomes aware that the NAV (or in the case of Managed Fund Shares or Managed Trust Securities, the Disclosed Portfolio) is not being disseminated to all market participants at the same time, it will halt trading in the affected ETP on the Exchange until such time as the NAV (or in the case of Managed Fund Shares or Managed Trust Securities, the Disclosed Portfolio, as applicable) is available to all market participants.

Except for certain non-substantive, technical and conforming changes described above, there are no differences between proposed Rule 7.18(c)(2) and NYSE Arca Rule 7.18–E(d)(2).

Proposed Rule 8—Trading of Certain Exchange Traded Products

The Exchange proposes rules to permit the Exchange to list and trade the following securities:

[11] NYSE Arca Rule 5.2–E(j)(7) incorrectly cites NYSE Arca Rule 9.2–E. The correct reference should be to NYSE Arca Rule 9.18–O, which the Exchange proposes to adopt.

[12] NYSE Arca Rule 5.5–E(a) relates to continued listing (*i.e.,* maintenance) requirements and delisting procedures generally. NYSE Arca Rule 5.5–E(b) through (g)(1) specify continuing listing requirements for common stock (select market companies, equity securities and similar issues); preferred stock and similar issues; bonds and debentures; warrants; contingent value rights; and unit investment trusts, respectively.

[13] NYSE Rule 5.5–E(h) specifies continued listing requirements for the common stock of development stage companies. NYSE Arca Rule 5.5–E(i) specifies continued listing requirements for the preferred stock and similar issues.

[14] NYSE Arca Rule 5.5–E(j) sets forth continued listing requirements for bonds and debentures.

[15] NYSE Rule 5.5–E(k) specifies continuing listing requirements for warrants. NYSE Rules 5.5–E(l) and (m) set forth delisting criteria and procedures, respectively.

[16] The heading of both NYSE Arca Rule 5.5–E(i)–1 and 5.5–E(j)–1 state ''The Exchange will commence.'' The Exchange does not propose to adopt the same heading for either rule.

- Currency and Index Warrants (proposed Rules 8.1–8.13)
- Portfolio Depositary Receipts (proposed Rule 8.100)
- Trust Issued Receipts (proposed Rule 8.200)
- Commodity Based Trust Shares (proposed Rule 8.201)
- Currency Trust Shares (proposed Rule 8.202)
- Commodity Index Trust Shares (proposed Rule 8.203)
- Commodity Futures Trust Shares (proposed Rule 8.204)
- Partnership Units (proposed Rule 8.300)
- Paired Trust Shares (proposed Rule 8.400)
- Trust Units (proposed Rule 8.500)
- Managed Fund Shares (proposed Rule 8.600)
- Active Proxy Portfolio Shares (proposed Rule 8.601)
- Managed Trust Securities (proposed Rule 8.700)
- Managed Portfolio Shares (proposed Rule 8.900)

The Exchange proposes to reserve Rule 8.100(g) to maintain the same rule numbers as the NYSE Arca rules with which it conforms. Once again, except for the non-substantive and technical differences described above, the rules are being adopted in substantially the same form as the NYSE Arca rules.

Proposed Rules 8.1–8.13—Currency and Index Warrants

Proposed Rules 8.1–8.13 would provide rules for the listing and trading (including sales-practice rules such as those relating to suitability and supervision of accounts) of currency and index warrants. In addition to certain non-substantive, technical and conforming changes described above and the additional non-substantive differences with respect to specific rules described below, there are no substantive differences between the proposed rules and NYSE Arca Rules 8.1–E through 8.13–E.

- *Proposed Rule 8.1—General.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.1–E other than certain non-substantive, technical and conforming changes described above.
- *Proposed Rule 8.2—Definitions.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.2–E other than certain non-substantive, technical and conforming changes described above.
- *Proposed Rule 8.3—Listing of Currency and Index Warrants.* NYSE Arca Rule 8.3–E references the size and earnings requirements for a warrant issuer set forth in NYSE Arca Rule 5.2–E(c) (Common Stock-Select Market Companies). The Exchange does not currently have and is not proposing a rule comparable to NYSE Arca Rule 5.2–E(c), and thus proposes to reference the requirements of NYSE Arca Rule 5.2–E(c) in proposed Rule 8.3(b)(1). In addition, the Exchange would substitute its delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule in proposed Rule 8.3.
- *Proposed Rule 8.4—Account Approval.* NYSE Arca Rule 8.4–E references the requirements of NYSE Arca 9.18–E(b) (Doing a Public Business in Options) regarding the opening and approval of a customer accounts for options trading. The Exchange does not trade options and does not have or intend to adopt a rule comparable rule to NYSE Arca Rule 9.18–E(b). The Exchange thus proposes to reference the requirements of NYSE Arca Rule 9.18–E(b) in proposed Rule 8.4.
- *Proposed Rule 8.5—Suitability.* NYSE Arca Rule 8.5–E provides that the suitability requirement of NYSE Arca Rule 9.18–E(c) (Suitability) apply to recommendations made in stock index, currency index and currency warrants and that the term ''option'' as used therein shall be deemed for purposes of this Rule to include warrants. Once again, the Exchange does not trade options and does not have or intend to adopt a rule comparable rule to NYSE Arca Equities Rule 9.18(c). The Exchange would reference the requirements of NYSE Arca Rule 9.18–E(b) in proposed Rule 8.4.
- *Proposed Rule 8.6—Discretionary Accounts.* NYSE Arca Rule 8.6–E provides that NYSE Arca Rule 9.6–E(a), which prohibits discretion as to customers' accounts, shall not apply to customer accounts insofar as an ETP Holder exercises discretion to trade in stock index, currency index and currency warrants, and that any such customer account shall instead be subject to NYSE Arca Rule 9.18–E(e). Article 9, Rule 21 is the Exchange's equivalent rule to NYSE Arca Rule 9.6–E(a), which the Exchange would reference in proposed Rule 8.6. The Exchange would retain references to NYSE Arca Rule 9.18–E(e), which governs the exercise of discretion with respect to trading in option contracts, currency warrants, or index warrants in a customer's account.
- *Proposed Rule 8.7—Supervision of Accounts.* NYSE Arca Rule 8.7–E provides that NYSE Arca Rule 9.18–E (d) shall apply to all customer accounts of an ETP Holder in which transactions in stock index, currency index or currency warrants are effected. NYSE Arca Rule 9.18–E(d) provides supervisory guidelines for operating an options business. The Exchange does not trade options and does not have or intend to adopt a rule comparable rule to NYSE Arca Rule 9.18–E(d). The Exchange thus proposes to reference the requirements of NYSE Arca Rule 9.18–E(e) in proposed Rule 8.7.
- *Proposed Rule 8.8—Customer Complaints.* NYSE Arca Rule 8.8–E provides that NYSE Arca Rule 9.18–E(l) shall apply to all customer complaints received by an ETP Holder regarding stock index, currency index or currency warrants. The Exchange does not trade options and does not have or intend to adopt a rule comparable rule to NYSE Arca Rule 9.18–E(l). The Exchange thus proposes to reference the requirements of NYSE Arca Rule 9.18–E(l) in proposed Rule 8.8.
- *Proposed Rule 8.9—Prior Approval of Certain Communications to Customers.* NYSE Arca Rule 8.9–E provides that all advertisements, sales literature and educational material issued by an ETP Holder to any customer or member of the public pertaining to stock index, currency index or currency warrants shall comply with the requirements set forth in the Commentaries to NYSE Arca Rule 9.28–E. NYSE Arca Rule 9.28–E governs advertisements, Market Letters and Sales Literature Relating to Options. The Exchange does not trade options and thus does not have a comparable rule. The Exchange accordingly proposes to retain the reference to the Commentaries to NYSE Arca Rule 9.28–E in proposed Rule 8.9.
- *Proposed Rule 8.10—Position Limits.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.10–E other than certain non-substantive, technical and conforming changes described above.
- *Proposed Rule 8.11—Exercise Limits.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.11–E other than certain non-substantive, technical and conforming changes described above.
- *Proposed Rule 8.12—Trading Halts or Suspensions.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.12–E other than certain non-substantive, technical and conforming changes described above. In addition, the Exchange would substitute its delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule in proposed Rule 8.12.
- *Proposed Rule 8.13—Reporting of Warrant Positions.* No substantive differences are proposed between the proposed rule and NYSE Arca Rule 8.13–E other than certain non-

substantive, technical and conforming changes described above. The Exchange would correct a typographical error in subsection (a) and substitute the phrase ''the ETP Holder filing the same file with the Exchange such additional periodic reports with respect to such account as the Exchange may from time to time prescribe'' with ''the Participant filing the report will file with the Exchange such additional periodic reports with respect to such account as the Exchange may from time to time prescribe.''

Proposed Rule 8.100—Portfolio Depositary Receipts

Proposed Rule 8.100 would establish rules to list and trade portfolio depositary receipts, a security based on a unit investment trust that holds securities comprising an index or portfolio underlying a series of portfolio depositary receipts. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.100–E.

Proposed Rule 8.200—Trust Issued Receipts

Proposed Rule 8.200 would establish rules to list and trade trust issued receipts, a security issued by a trust that holds specific securities deposited with the Trust. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.200–E.

Proposed Rule 8.201—Commodity-Based Trust Shares

Proposed Rule 8.201 would establish rules to list and trade commodity-based trust shares, a security issued by a trust that holds a specified commodity deposited with the trust or a specified commodity and cash. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.201–E.

Proposed Rule 8.202—Currency Trust Shares

Proposed Rule 8.202 would establish rules to list and trade currency trust shares, a security issued by a trust that holds a specified non-U.S. currency or currencies deposited with the Trust. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.202–E.

Proposed Rule 8.203—Commodity Index Trust Shares

Proposed Rule 8.203 would establish rules to list and trade commodity index trust shares, a security that is a commodity pool as defined in the Commodity Exchange Act and regulations thereunder, that is managed by a commodity pool operator registered with the Commodity Futures Trading Commission, and that holds long positions in futures contracts on a specified commodity index, or interests in a commodity pool which, in turn, holds such long positions. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.203–E. The Exchange proposes to correct a typographical error in the first sentence of subsection (d) to replace ''one more more'' with ''one or more.''

Proposed Rule 8.204—Commodity Futures Trust Shares

Proposed Rule 8.204 would establish rules to list and trade commodity futures trust shares, a security issued by a trust that is a commodity pool as defined in the Commodity Exchange Act and regulations thereunder, that is managed by a commodity pool operator registered with the Commodity Futures Trading Commission, and that holds positions in futures contracts that track the performance of a specified commodity, or interests in a commodity pool which, in turn, holds such positions. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule and the Exchange's books and records rule in Article 11, Rule 2 for NYSE Arca's rule, there are no differences between the proposed rule and NYSE Arca Rule 8.204–E.

Proposed Rule 8.300—Partnership Units

Proposed Rule 8.300 would establish rules to list and trade partnership units, a security issued by a partnership that invests in any combination of futures contracts, options on futures contracts, forward contracts, commodities and/or securities and that is issued and redeemed daily in specified aggregate amounts at net asset value. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule and the Exchange's books and records rule in Article 11, Rule 2 for NYSE Arca's rule, there are no differences between the proposed rule and NYSE Arca Rule 8.300–E.

Proposed Rule 8.400—Paired Trust Shares

Proposed Rule 8.400 would establish rules to list and trade paired trust shares, which can be of a ''holding'' or ''tradeable'' variety. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule and the Exchange's books and records rule in Article 11, Rule 2 for NYSE Arca's rule, there are no differences between the proposed rule and NYSE Arca Rule 8.400–E.

Proposed Rule 8.500—Trust Units

Proposed Rule 8.500 would establish rules to list and trade trust units, a security issued by a trust or similar entity constituted as a commodity pool that holds investments comprising or otherwise based on any combination of futures contracts, options on futures contracts, forward contracts, swap contracts, commodities and/or securities. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.500–E.

Proposed Rule 8.600—Managed Fund Shares

Proposed Rule 8.600 would establish rules to list and trade managed fund shares, a security that represents an interest in a registered investment company organized as an open-end management investment company or similar entity that invests in a portfolio of securities selected by the investment company's investment adviser consistent with its investment objectives and policies. Other than certain non-substantive, technical and conforming changes described above and

substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.600–E.

Proposed Rule 8.601—Active Proxy Portfolio Shares

Proposed Rule 8.601 would establish rules to list and trade active proxy portfolio shares, a security issued by a registered investment company organized as an open-end management investment company or similar entity that invests in a portfolio of securities selected by the investment company's investment adviser consistent with its investment objectives and policies. Other than certain non-substantive, technical and conforming changes described above, deletion of ''pursuant to unlisted trading privileges'' and the reference to subsection (d)(1) of NYSE Arca Rule 7.18 in proposed Rule 8.601(d)(2)(D)(ii), and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.601–E.

Proposed Rule 8.700—Managed Trust Securities

Proposed Rule 8.700 would establish rules to list and trade managed trust securities, a security registered under the Securities Act of 1933, as amended, and issued by a trust that is a commodity pool as defined in the Commodity Exchange Act and regulations thereunder, is not registered or required to be registered as an investment company under the Investment Company Act of 1940, as amended, and managed by a commodity pool operator registered with the Commodity Futures Trading Commission that holds long and/or short positions in exchange-traded futures contracts and/or certain currency forward contracts and/or swaps. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule and the Exchange's books and records rule in Article 11, Rule 2 for NYSE Arca's rule, there are no differences between the proposed rule and NYSE Arca Rule 8.700–E.

Proposed Rule 8.900—Managed Portfolio Shares

Proposed Rule 8.900 would establish rules to list and trade managed portfolio shares, a security registered under the Investment Company Act of 1940 and organized as an open-end management investment company that invests in a portfolio of securities selected by the investment company's investment adviser. Other than certain non-substantive, technical and conforming changes described above and substitution of the Exchange's delisting rule contained in Article 22, Rule 4 for NYSE Arca's delisting rule, there are no differences between the proposed rule and NYSE Arca Rule 8.900–E.[17]

Deletion of Obsolete Listing Rules—Article 22, Rules 24–27

The Exchange's listing rules are set forth in Article 22. The Exchange proposes to delete the following listing rule that would be superseded by the ETP listing and trading rules in proposed Rules 5 and 8:

- Article 22, Rule 24 (Investment Company Units);
- Article 22, Rule 25 (Portfolio Depositary Receipts);
- Article 22, Rule 26 (Equity-Linked Debt Securities); and
- Article 22, Rule 27 (Trust Issued Receipts).

The remaining Article 22 rules would be re-numbered. Article 22, Rule 28 (Additional Requirements for Listed Securities Issued by Intercontinental Exchange, Inc. or its Affiliates) would become Article 22, Rule 24 and Article 22, Rule 29 (Erroneously Awarded Compensation) would become Article 22, Rule 25.

The Exchange believes that the proposed change would make the Exchange's rules more accessible and add clarity and transparency to its rule by removing superseded text.

Surveillance

The Exchange represents that listed ETPs would be subject to the existing trading surveillances administered by the Exchange, as well as cross-market surveillances administered by the Financial Industry Regulatory Authority (''FINRA'') on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws. The Exchange represents that these procedures are adequate to properly monitor the Exchange's listing and trading of ETPs in all trading sessions and to deter and detect violations of Exchange rules and federal securities laws applicable to trading on the Exchange.[18]

The surveillances referred to above generally focus on detecting securities trading outside their normal patterns which could be indicative of manipulative or other violative activity. When such situations are detected, surveillance analysis follows and investigations are opened, where appropriate, to review the behavior of relevant parties for relevant trading violations. The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in ETPs, as well as certain other securities and financial instruments underlying such ETPs, with other markets and other entities that are members of the Intermarket Surveillance Group (''ISG''). The Exchange or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in ETPs and financial instruments from such markets and other entities. In addition, the Exchange may obtain information regarding trading in ETPs, as well as certain other securities and financial instruments underlying such ETPs, from markets and other entities with which the Exchange has in place a comprehensive surveillance sharing agreement (''CSSA''). Further, the Exchange's affiliates, the NYSE and NYSE Arca, currently list ETPs pursuant to rules that are substantially identical to the rules proposed by the Exchange in this filing. NYSE Regulation conducts initial and continued listing reviews for ETPs listed on the NYSE and NYSE Arca. The Exchange represents that NYSE Regulation will conduct initial and continued listing reviews of ETPs listed on the Exchange in the same manner as it does for the NYSE and NYSE Arca.

Participant Duties and Responsibilities

The Exchange notes that Participants, including Market Makers,[19] would be subject to all Exchange rules applicable to equities trading and the duties and responsibilities of Exchange Participants. Specifically, Participants would continue to be subject to the requirement to make and preserve books and records pursuant to Article 11, Rule 2 and to provide those books and records to the Exchange upon demand under Article 11, Rule 1. Market Makers in particular would be subject to the

[17] The Exchange would adopt NYSE Arca's numbering and skip 8.800.

[18] FINRA conducts cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

[19] As set forth in the preamble to Article 16, the current Market Maker rules contained in Article 16 are inapplicable to trading on the Pillar trading platform. The Exchange proposes to promptly submit a separate rule filing to delete this preamble and reinstate the Market Maker rules contained in Article 16, including the specific rules referenced in this section relating to Market Maker obligations and limitations.

obligations set forth in Article 16, Rule 4 (Obligations of Market Makers), including the responsibility to engage in a course of dealings for their own account to assist in the maintenance, insofar as reasonably practicable, of fair and orderly markets on the Exchange; Article 16, Rule 5 (Limitation on Dealings of Market Makers) regarding information barrier requirements when engaged in other business activities, including the prohibition on trading by a person while in possession of material, non-public information received as a result of the breach of the internal controls required under the Rule; and Article 16, Rule 6 (Reporting of Position Information by Market Makers) requiring Market Makers to record its long or short position in all securities for which it is registered on the Exchange as a Market Maker, including the number of shares which it is long or short, as of the time that it initiates an order in such securities on the trading facilities of the Exchange, and to provide that information to the Exchange on demand. All Participants would further be subject to the requirements of Rule 11.3110 establish and maintain a system to supervise the activities of each associated person that is reasonably designed to achieve compliance with applicable securities laws and regulations, and with applicable Exchange rules, and sets forth the minimum requirements for such supervisory system. Under Rule 11.3110, final responsibility for proper supervision rests with the Participant.

Firewalls

Commentary .01(b)(1) and Commentary .02(b) to proposed Rule 5.2(j)(3) (applicable to Investment Company Units) and Commentary .06 to proposed Rule 8.600 (applicable to Managed Fund Shares) require the establishment and maintenance of a ''firewall'' around personnel who have access to information concerning changes to an index or the composition and/or changes to a fund's portfolio; and that specified persons or entities be subject to procedures designed to prevent the use and dissemination of material non-public information regarding the applicable index or portfolio.

In the Rule 6c–11 Release, the Commission, in the context of index-based ETFs with affiliated index providers (''self-indexed ETFs''), noted the federal securities law provisions that currently relate to implementation by funds of appropriate measures to deal with misuse of non-public information.[20] The Exchange notes that these federal securities law requirements will continue to apply to issues of index and actively-managed ETFs and the proposed generic listing rules for Exchange-Traded Fund Shares are consistent with such requirements.

The Exchange notes that proposed Commentary .02(a) to Rule 5.2(j)(8) provides that, with respect to series of Exchange-Traded Fund Shares that are based on an index, if the underlying index is maintained by a broker-dealer or fund adviser, the broker-dealer or fund adviser will erect and maintain a ''fire wall'' around the personnel who have access to information concerning changes and adjustments to the index and the index shall be calculated by a third party who is not a broker-dealer or fund advisor. In addition, proposed Commentary .02(b) to Rule 5.2(j)(8) provides that, with respect to series of Exchange-Traded Fund Shares that are actively managed if, the investment adviser to the Exchange-Traded Fund issuing Exchange-Traded Fund Shares is affiliated with a broker-dealer, such investment adviser will erect and maintain a ''fire wall'' between the investment adviser and the broker-dealer with respect to access to information concerning the composition and/or changes to such Exchange-Traded Fund portfolio. Personnel who make decisions on the applicable Exchange-Traded Fund's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material nonpublic information regarding the applicable Exchange-Traded Fund portfolio. Proposed Commentary .02(a) to Rule 5.2(j)(8)(k) is based on Commentary .02(a) to NYSE Arca Rule 5.2–E(j)(8) without any differences.

As noted, proposed Rule is based on NYSE Arca Rule 5.2–E(j)(8). The Exchange believes that adopting the same generic standards for Exchange-Traded Fund Shares would facilitate efficient procedures for ETFs that are permitted to operate in reliance on Rule 6c–11. The Exchange further believes that the proposed rule is, like its NYSE Arca counterpart, fully consistent with, and will further, the Commission's goals in adopting Rule 6c–11.

For all of the reasons stated above, the proposal is therefore consistent with the requirements of the Act.

Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act,[21] in general, and furthers the objectives of Sections 6(b)(5) of the Act,[22] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest. In addition, the Exchange believes that the proposed changes would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and protect investors and the public interest because the proposed rules are based on rules of the Exchange's affiliated market, NYSE Arca, that have been approved by the Commission. Accordingly, the proposed rule changes promote continuity across affiliated exchanges, permitting ETPs to list and trade on the Exchange by meeting the same listing standards as on the Exchange's affiliated market.

The Exchange believes that the proposed rule change is consistent with the above principles. By providing rules for the listing and trading of ETPs, the Exchange believes its proposal would lead to the addition of liquidity to the broader market and to increased competition among the existing group of liquidity providers. The Exchange also believes that, by so doing, the proposed rule change would encourage the additional utilization of, and interaction with, the exchange market, and provide market participants with improved price

[20] *See* Release Nos. 33–10695; IC–33646; File No. S7–15–18 (ETFs) (September 25, 2019), 84 FR 57162, 57168–57169 (October 24, 2019) (the ''Rule 6c–11 Release''). *See also* 17 CFR 270.38a–1 (Rule 38a–1 under the 1940 Act) (requiring funds to adopt policies and procedures reasonably designed to prevent violation of federal securities laws); 17 CFR 270.17j–1(c)(1) (Rule 17j–1(c)(1) under the Investment Company Act) (requiring funds to adopt a code of ethics containing provisions designed to prevent certain fund personnel (''access persons'') from misusing information regarding fund transactions); section 204A of the Investment Advisers Act of 1940 (''Advisers Act'') (15 U.S.C. 80b–204A) (requiring an adviser to adopt policies and procedures that are reasonably designed, taking into account the nature of its business, to prevent the misuse of material, non-public information by the adviser or any associated person, in violation of the Advisers Act or the Exchange Act, or the rules or regulations thereunder); section 15(g) of the Exchange Act (15 U.S.C. 78o(f)) (requiring a registered broker or dealer to adopt policies and procedures reasonably designed, taking into account the nature of the broker's or dealer's business, to prevent the misuse of material, nonpublic information by the broker or dealer or any person associated with the broker or dealer, in violation of the Exchange Act or the rules or regulations thereunder).

[21] 15 U.S.C. 78f(b).

[22] 15 U.S.C. 78f(b)(5).

discovery, increased liquidity, more competitive quotes and greater price improvement for listed ETPs.

The Exchange further believes that listing ETPs on the Exchange would help raise investors' confidence in the fairness of the market, generally, and their transactions in particular. As such, the listing of ETPs would foster cooperation and coordination with persons engaged in facilitating securities transactions, enhance the mechanism of a free and open market, and promote fair and orderly markets in securities on the Exchange.

The proposal is also designed to promote just and equitable principles of trade by way of initial and continued listing standards which, if not maintained, would result in the discontinuation of trading in the affected products. These requirements, together with the applicable Exchange trading rules (which apply to the proposed products), ensure that no investor would have an unfair advantage over another respecting the trading of the subject products. On the contrary, all investors would have the same access to, and use of, information concerning the specific products and trading in the specific products, all to the benefit of public customers and the marketplace as a whole. The proposal is intended to ensure that investors receive up-to-date information on the value of certain underlying securities and indices in the products in which they invest, and protect investors and the public interest, enabling investors to: (i) respond quickly to market changes through intra-day trading opportunities; (ii) engage in hedging strategies; and (iii) reduce transaction costs. Consequently, the proposed rule change is consistent with the protection of investors and the public interest.

Furthermore, the proposal is designed to remove impediments to and perfect the mechanism of a free and open market and a national market system by adopting rules that would lead ultimately to the listing and trading of new products on the Exchange. The proposed changes do nothing more than match Exchange rules with what is currently available on other exchanges for the listing of ETPs. The Exchange believes that by allowing for listing opportunities on the Exchange that are already allowed by rule on another market, the proposal would offer another venue for listing ETPs and thereby promote broader competition among exchanges. The Exchange believes that individuals and entities permitted to list ETPs on the Exchange should enhance competition within the mechanism of a free and open market and a national market system, and customers and other investors in the national market system should benefit from more depth and liquidity in the market for the ETPs.

Additionally, the proposal is designed to prevent fraudulent and manipulative acts and practices, as trading would be subject to existing Exchange trading rules, together with specific requirements for registered market makers, books and record production, surveillance procedures, suitability and prospectus requirements, and requisite Exchange approvals, all set forth above. The proposed rule changes accomplish these objectives by enhancing Exchange rules by clarifying that most initial listing standards, as well as certain representations included in Exchange rule filings to list an ETP, are considered continued listing standards. Additionally, the ETP rules will also require that issuers of securities listed under proposed rule must notify the Exchange regarding instances of non-compliance and to clarify that deficiencies will be subject to the delisting process in Article 22, Rule 4. The Exchange believes that these proposed rules will enhance the Exchange's rules, thereby serving to improve the national market system and protect investors and the public interest. In addition, as noted, under the proposal Participants would be subject to the Exchange's structure for trading listed securities, including books and records requirements, and Market Makers would be subject to the specific obligations and limitations of Market Makers set forth in Article 16, Rules 4, 5 and 6.

With respect to the deletion of superseded listing rules in Article 22, the Exchange believes that the proposed change would remove impediments to and perfect the mechanisms of a free and open market by eliminating rules that would be superseded, thereby improving the clarity of the Exchange's rules and enabling market participants to more easily navigate the Exchange's rules. The Exchange also believes that the proposed change would protect investors and the public interest because the deletion of obsolete text would make the Exchange's rules more accessible and transparent.

Finally, the proposed change is not designed to address any competitive issue, but rather to adopt new rules that allow the Exchange to list and trade ETPs. The proposed rules are identical to the rules of NYSE Arca (other than with respect to certain non-substantive and technical changes described above), which currently lists ETPs pursuant to the same rule set. These proposed rules support competition by allowing for ETP listings on the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not designed to address any competitive issue, but rather to adopt new rules that allow the Exchange to list and trade ETPs. The proposed rules are identical to the rules of NYSE Arca (other than with respect to certain non-substantive and technical changes described above), which currently lists ETPs pursuant to the same rule set. The proposed rules in fact support competition by allowing for ETP listings on the Exchange. Limiting trading of ETPs on the Exchange solely to UTP securities limits competition in that there are certain products that the Exchange cannot list, while other exchanges, with identical listing rules, can list such products. The proposed rule change would thus promote competition by allowing the Exchange to compete with other national securities exchanges for the listing and trading of ETPs. With respect to the proposed deletion of obsolete listing rules, the proposed changes would not have any impact on competition, because they are solely designed to eliminate obsolete text.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period *up to 90 days* (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing,

including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NYSECHX–2025–04 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSECHX–2025–04. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSECHX–2025–04 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04338 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102628; File No. SR–ISE–2025–08]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend Options 4, Section 3, Criteria for Underlying Securities

March 12, 2025.

On February 7, 2025, Nasdaq ISE, LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend its listing rules at ISE Options 4, Section 3, Criteria for Underlying Securities to allow the listing and trading of options on units that represent interests in a trust that in a Commodity-Based Trust. The proposed rule change was published for comment in the **Federal Register** on February 26, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 12, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 27, 2025 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–ISE–2025–08).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04349 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102465 (February 20, 2025), 90 FR 10740 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102623; File No. SR–CBOE–2025–008]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF

March 12, 2025.

On February 5, 2025, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF. On February 6, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 24, 2025.[3] The Commission received no comments regarding the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 10, 2025.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102442 (Feb. 18, 2025), 90 FR 10533.

[4] 15 U.S.C. 78s(b)(2).

The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 25, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CBOE–2025–008).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04344 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102621; File No. SR–PHLX–2025–11]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule Equity 7, Section 3

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 3, 2025, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule Equity 7, Section 3 to remove a credit provided to member organizations providing liquidity through the Exchange.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at (*https://listingcenter.nasdaq.com/rulebook/phlx/rulefilings*), and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PHLX-2025-11.*

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PHLX-2025-11*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–PHLX–2025–11 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–PHLX–2025–11. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PHLX-2025-11*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–PHLX–2025–11 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04342 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102631; File No. SR–Phlx–2025–08]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Nasdaq Bitcoin Index Options

March 12, 2025.

On February 4, 2025, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to introduce a new index options product, Nasdaq Bitcoin Index Options. The proposed rule change was published for comment in the **Federal Register** on February 24, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 10, 2025.

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[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102440 (February 18, 2025), 90 FR 10545 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 25, 2025 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–Phlx–2025–08).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04352 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102613; File No. SR–NYSEARCA–2025–17]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2025, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule to reflect the proposed name change of NYSE Chicago, Inc. to NYSE Texas, Inc.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *www.nyse.com* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NYSEARCA-2025-17.*

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(6)[6] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6)[8] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[9] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[10] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. A waiver would enable this proposed rule change to become operative at the same time that a related NYSE Chicago, Inc. rule filing[11] (''NYSE Chicago filing''), which is the filing that changes the name of NYSE Chicago, Inc. to NYSE Texas, Inc., becomes operative. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes simply reflect the name change, consistent with the changes proposed by the NYSE Chicago filing, and a waiver would avoid any potential confusion about the name of the entity in the Connectivity Fee Schedule. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[13] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSEARCA-2025-17*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–NYSEARCA–2025–17 on the subject line. Alternatively, paper comments may be

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[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] *See* SR–NYSECHX–2025–01 (filed February 25, 2025).

[12] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[13] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–NYSEARCA–2025–17. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSEARCA-2025-17*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEARCA–2025–17 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04335 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102638; File No. SR–SAPPHIRE–2025–10]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule To Adopt Fees for Dedicated Cross Connection Access to the Testing Systems Environment

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2025, MIAX Sapphire, LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Fee Schedule to establish a fee for market participants that choose to utilize the Exchange's testing systems environment via a dedicated cross connection.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-SAPPHIRE-2025-10.*

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-SAPPHIRE-2025-10*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–SAPPHIRE–2025–10 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–SAPPHIRE–2025–10. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-SAPPHIRE-2025-10*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–SAPPHIRE–2025–10 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04326 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102650; File No. 10–247]

In the Matter of the Application of MX2 LLC for Registration as a National Securities Exchange; Findings, Opinion, and Order of the Commission

March 13, 2025.

I. Introduction and Procedural History

On September 19, 2024, MX2 LLC (''MX2'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a Form 1 application under the Securities Exchange Act of 1934 (''Act''), seeking registration as a national securities exchange under Section 6 of the Act.[1] On November 29, 2024, MX2 submitted Amendment No. 1 to the application.[2] Notice of the

[14] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78f. *See also* 15 U.S.C. 78s(a)(1) (stating that the Commission shall, ''[w]ithin ninety days of the date of publication of such notice (or within such longer period as to which the applicant consents),'' grant the registration or institute proceedings to determine whether the registration should be denied).

[2] In Amendment No. 1, MX2 submitted updated portions of its Form 1, including Exhibits C (information regarding subsidiaries or affiliates), C–2 (Seventh Amended and Restated LLC Agreement of MEMX Holdings LLC), C–3 (Eighth Amended and Restated LLC Agreement of MEMX Holdings LLC), C–16 (Second Amended and Restated LLC Agreement of MEMX LLC), E (description of the proposed operation of the exchange) and J (list of officers, governors, members of all standing

application, as amended, was published for comment in the **Federal Register** on December 17, 2024.[3] The Commission received one comment on the application.[4]

The Commission has reviewed the Exchange's registration application, as amended, together with the comment letter received, in order to make a determination whether to grant such registration. For the reasons set forth below, and based on the representations set forth in MX2's Form 1, as amended, this order approves MX2's Form 1 application, as amended, for registration as a national securities exchange.

II. Statutory Standards

Pursuant to Sections 6(b) and 19(a) of the Act,[5] the Commission shall by order grant an application for registration as a national securities exchange if the Commission finds, among other things, that the proposed exchange is so organized and has the capacity to carry out the purposes of the Act and can comply, and can enforce compliance by its members and persons associated with its members, with the provisions of the Act, the rules and regulations thereunder, and the rules of the exchange.[6]

As discussed in greater detail below, the Commission finds that MX2's application, as amended, for exchange registration meets the requirements of the Act and the rules and regulations thereunder. Further, the Commission finds that the proposed rules of MX2 are consistent with Section 6 of the Act in that, among other things, they are designed to: (1) assure fair representation of the exchange's members in the selection of its directors and administration of its affairs and provide that, among other things, one or more directors shall be representative of investors and not be associated with the exchange, or with a broker or dealer; [7] (2) prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, and remove impediments to and perfect the mechanisms of a free and open market and a national market system; [8] (3) not permit unfair discrimination between customers, issuers, or dealers; [9] and (4) protect investors and the public interest.[10] The Commission also finds that the proposed rules of MX2 are consistent with Section 11A of the Act.[11] Finally, the Commission finds that MX2's proposed rules do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[12]

III. Discussion

As proposed, MX2 would be substantively identical to its affiliated national securities exchange, MEMX LLC (''MEMX''), with the same governance structure and a substantively identical rulebook.[13] One commenter, stating that ''there appears to be nothing unique about this exchange application,'' further stated that MX2 would ''contribute to the fragmentation problem'' that ''adds costs and doesn't help transparency or liquidity'' and ''does nothing for overall market quality.'' [14] The commenter stated that it is ''not in favor of new exchanges being approved unless they can bring a value-added innovation to the market'' and further stated that ''[w]hile MX2 may still be planning something innovative, it's not in the documents that were filed with the [Commission].'' [15]

As explained above in section II, the Act states the Commission shall grant an application for registration as a national securities exchange if the Commission finds, among other things, that the proposed exchange is so organized and has the capacity to carry out the purposes of the Act and can comply, and can enforce compliance by its members and persons associated with its members, with the provisions of the Act, the rules and regulations thereunder, and the rules of the exchange. As stated above and for the reasons discussed throughout this order, the Commission finds that MX2's application, as amended, for exchange registration meets the requirements of the Act and the rules and regulations thereunder and accordingly grants the application for registration.[16]

While MX2's Form 1 application does not contain any novel features when compared to MEMX, the Exchange Act does not require that a new exchange be novel or that it provide innovation to the market. While adding another exchange to the national market system can impose costs to the industry, including specifically to those market participants that become members of MX2, the Commission is required to consider a Form 1 application for consistency with statutory standards and the record does not support a denial of MX2's Form 1 application as inconsistent with the Exchange Act.

A. Governance of MX2

MX2 will be owned by MEMX Holdings LLC (''MEMX Holdings''), a Delaware limited liability company. In turn, MEMX Holdings is owned by a group of investors that include broker-dealers and banks.

1. MX2 Board of Directors

The board of directors of MX2 (''Exchange Board'') [17] will be its governing body and will possess all of the powers necessary for the management of its business and affairs, including governance of MX2 as a self-regulatory organization (''SRO'').[18] Specifically:

committees, or persons performing similar functions).

[3] *See* Securities Exchange Act Release No. 101884 (Dec. 11, 2024), 89 FR 102214 (''Notice'').

[4] Comments received in response to the Notice are available at *https://www.sec.gov/comments/10-247/10-247.htm*.

[5] 15 U.S.C. 78f(b) and 15 U.S.C. 78s(a), respectively.

[6] *See also supra* note 1 (discussing the time for Commission action following publication of notice of an application for exchange registration)

[7] *See* U.S.C. 78f(b)(3).

[8] *See* U.S.C. 78f(b)(5).

[9] *See id.*

[10] *See id.*

[11] 15 U.S.C. 78k–1.

[12] 15 U.S.C. 78f(b)(8).

[13] As discussed below, MX2 proposes to incorporate by reference most chapters of the MEMX rulebook except MEMX Chapter 1 (Adoption, Interpretation and Application of Rules, and Definitions), Chapter 2 (Members of the Exchange), Rule 8.15 in Chapter 8 (Imposition of Fines for Minor Violation(s) of Rules), Chapter 11 (Trading Rules), and Chapter 15 (Dues, Fees, Assessments and Other Charges, Effective Date). *See also supra* note 191 (concerning rules incorporated by reference). The chapters that are not incorporated by reference are substantively identical to the corresponding rules of MEMX. References to MX2 rules discussed herein include those rules contained in the MX2 proposed rulebook as well as those corresponding MEMX rules that MX2 proposes to incorporate by reference.

[14] Letter from Joseph Saluzzi, Themis Trading LLC, dated Jan. 31, 2025, *available at https://www.sec.gov/comments/10-247/10247-563415-1614842.pdf*. The commenter stated that ''[e]xchange medallions are very valuable since they can generate data related fees including a share of the SIP tape revenue pool''. *Id.* The commenter stated that MEMX earned in 2023 $23 million from the equities market data plans, which the commenter estimates exceeded the trading fees MEMX may have earned that year. *See id.*

[15] *Id.* at 2.

[16] The Commission similarly granted the Form 1 application for exchange registration of MEMX, whose governing documents, rules, forms, and application were substantively identical to those of MX2. *See* Securities Exchange Act Release No. 88806 (May 4, 2020), 85 FR 27451 (May 8, 2020) (File No. 10–237) (order granting exchange registration of MEMX LLC) (''MEMX Order'').

[17] A Director may not be subject to statutory disqualification. *See* First Amended and Restated Limited Liability Company Agreement of MX2 (''MX2 LLC Agreement''), Article VII, Section 7.6(d).

[18] *See* MX2 LLC Agreement, Article VII, Section 7.2. *See also* Form 1, Exhibit J.

- the Exchange Board initially will be composed of 10 directors; [19]
- one director will be the Chief Executive Officer of MX2; [20]
- the number of Non-Industry Directors [21] will equal or exceed the sum of the number of Industry Directors [22] and Member Representative Directors; [23]
- at least two of the Non-Industry Directors shall also qualify as Independent Directors; [24]
- at least one of the Non-Industry Directors shall be representative of issuers and investors and not associated with an Exchange Member, a broker, or a dealer; and
- at least 20% of the directors on the Exchange Board will be Member Representative Directors.[25]

The initial directors of the Exchange Board will be appointed by MEMX Holdings and will serve until the first annual meeting of Company Members.[26] The first annual meeting of Company Members will be held within 90 days after the Commission grants MX2's exchange registration.[27]

In addition, MEMX Holdings will appoint the initial Nominating Committee and Member Nominating Committee, consistent with each committee's compositional requirements, to nominate candidates for election to the Exchange Board.[28] The Nominating Committee and Member Nominating Committee, after completion of their respective duties for nominating directors for election to the Board for that year, will recommend candidates to serve on the succeeding year's Nominating Committee or Member Nominating Committee, as applicable.[29] MX2 members will have rights to nominate and elect additional candidates for the Member Nominating Committee pursuant to a petition process.[30]

The Nominating Committee will nominate candidates for election to the Board.[31] For Member Representative Director positions, the Member Nominating Committee, composed solely of Member Representative Committee or Panel Members,[32] will solicit input from MX2 members and members may submit petition candidates.[33] If no candidates are nominated pursuant to a petition process, then the initial nominees approved and submitted by the Member Nominating Committee will be nominated as Member Representative Directors by the Nominating Committee.[34] If a petition process produces additional candidates, then the candidates nominated pursuant to the petition process, together with those nominated by the Member Nominating Committee, will be presented to MX2 members for election to determine the final designees for any open Member Representative Director positions.[35] In the event of a contested election, the candidates who receive the most votes will be selected as the Member Representative Director designees by the Member Nominating Committee.[36]

The MX2 governance provisions are consistent with the Act. In particular, the requirement that the number of Member Representative Directors must be at least 20% of the Board and the means by which they will be chosen by MX2 members provides for the fair representation of members in the selection of directors and the administration of MX2 and therefore are consistent with Section 6(b)(3) of the Act.[37] As the Commission has previously stated, this requirement helps to ensure that members have a voice in an exchange's self-regulatory program, and that an exchange is administered in a way that is equitable to all those who trade on its market or through its facilities.[38]

In addition, with respect to the requirements that the number of Non-Industry Directors equal or exceed the sum of the number of Industry Directors and Member Representative Directors, that at least two Non-Industry Directors shall also qualify as Independent Directors, and that at least one of the Non-Industry Directors shall be representative of issuers and investors and not associated with an Exchange Member, a broker, or a dealer, the proposed composition of the Exchange Board satisfies the requirements in Section 6(b)(3) of the Act,[39] which require in part that one or more directors be representative of issuers and investors and not be associated with a member of the exchange, or with a broker or dealer. The Commission previously has stated that the inclusion of public, non-industry representatives on exchange oversight bodies is an important mechanism to support an exchange's ability to protect the public interest.[40] Further, the presence of public, non-industry representatives can

[19] *See* MX2 LLC Agreement, Article VII, Section 7.3(a).

[20] *See* MX2 LLC Agreement, Article VII, Section 7.3(b)(i).

[21] ''Non-Industry Director'' means a Director who is an Independent Director or any other individual who would not be an Industry Director. *See* MX2 LLC Agreement, Article I, Section 1.1.

[22] ''Industry Director'' means, among other criteria, a Director who is or has been within the prior three years an officer, director, or employee of a broker or dealer, excluding an outside director or a director not engaged in the day-to-day management of a broker or dealer. *See* MX2 LLC Agreement, Article I, Section 1.1., for a description of all of the circumstances regarding when a Director would be considered an Industry Director.

[23] *See* MX2 LLC Agreement, Article VII, Section 7.3(b)(ii)(A). ''Member Representative Director'' means a Director who has been appointed as such to the initial Exchange Board pursuant to Section 7.4 of the MX2 LLC Agreement or elected by MEMX Holdings after having been nominated by the Member Nominating Committee or by an Exchange member pursuant to the MX2 LLC Agreement and confirmed as the nominee of Exchange members after majority vote of Exchange members, if applicable. A Member Representative Director must be an officer, director, employee, or agent of an Exchange member that is not a Unitholder Exchange Member. *See* MX2 LLC Agreement, Article I, Section 1.1.

[24] ''Independent Director'' means a Director who has no material relationship with the Exchange or any affiliate of the Exchange or any Exchange Member or any affiliate of any Exchange Member; provided, however, that an individual who otherwise qualifies as an Independent Director shall not be disqualified from serving in such capacity solely because such Director is a Director of MX2, MEMX, or MEMX Holdings. *See* MX2 LLC Agreement, Article I, Section 1.1.

[25] *See* MX2 LLC Agreement, Article VII, Section 7.3(b)(ii)(D).

[26] *See* MX2 LLC Agreement, Article VII, Section 7.3(f). ''Company Members'' means MEMX Holdings. *See* MX2 LLC Agreement, Article I, Section 1.1.

[27] *See* MX2 LLC Agreement, Article VII, Section 7.3(f).

[28] *See* MX2 LLC Agreement, Article VIII, Section 8.7(b).

[29] *See id.*

[30] *See* MX2 LLC Agreement, Article VII, Section 7.4

[31] *See* MX2 LLC Agreement, Article VII, Section 7.4(a).

[32] ''Member Representative Committee or Panel Members'' means a member of any Committee or hearing panel who is an officer, director, employee or agent of an Exchange Member that is not a Unitholder Exchange Member. *See* MX2 LLC Agreement, Article I, Section 1.1.

[33] *See* MX2 LLC Agreement, Article VII, Section 7.4(a). *See also* MX2 LLC Agreement, Article VII, Section 8.7(c).

[34] *See* MX2 LLC Agreement, Article VII, Section 7.4(e).

[35] *See id.*

[36] *See* MX2 LLC Agreement, Article VII, Section 7.4(f).

[37] 15 U.S.C. 78f(b)(3).

[38] *See, e.g.,* MEMX Order, *supra* note 16; Securities Exchange Act Release Nos. 85828 (May 10, 2019), 84 FR 21841 (May 15, 2019) (File No. 10–234) (order granting exchange registration of Long Term Stock Exchange, Inc.) (''LTSE Order''); 79543 (Dec. 13, 2016), 81 FR 92901, 92903 (Dec. 20, 2016) (File No. 10–227) (order granting exchange registration of MIAX PEARL, LLC) (''MIAX PEARL Order''); 68341 (Dec. 3, 2012), 77 FR 73065, 73067 (Dec. 7, 2012) (File No. 10–207) (order granting exchange registration of Miami International Securities Exchange, LLC (''MIAX Exchange'')) (''MIAX Order''); 58375 (Aug. 18, 2008), 73 FR 49498, 49501 (Aug. 21, 2008) (File No. 10–182) (order granting exchange registration of BATS Exchange, Inc.) (''BATS Order''); and 53128 (Jan. 13, 2006), 71 FR 3550, 3553 (Jan. 23, 2006) (File No. 10–131) (order granting exchange registration of Nasdaq Stock Market, Inc.) (''Nasdaq Order'').

[39] 15 U.S.C. 78f(b)(3).

[40] *See, e.g.,* MEMX Order, *supra* note 16, at 27452; LTSE Order, *supra* note 38, at 21843; MIAX PEARL Order, *supra* note 38, at 92903; MIAX Order, *supra* note 38, at 73067; BATS Order, *supra* note 38, at 49501; and Nasdaq Order, *supra* note 38, at 3553.

help to ensure that no single group of market participants has the ability to systematically disadvantage other market participants through the exchange governance process. Public directors can provide unbiased perspectives, which may enhance the ability of the Exchange Board to address issues in a non-discriminatory fashion and foster the integrity of the Exchange.

2. Interim Board

MEMX Holdings will hold a special meeting to appoint Interim Directors of the Board (''Interim Board''), which will include Interim Member Representative Directors.[41] Upon appointment of the Interim Directors, the Interim Board will meet the Board composition requirements set forth in the MX2 LLC Agreement.[42] The Interim Board members will serve only until the first annual meeting of Company Members, which will be held within 90 days after the Commission grants the Exchange's registration as a national securities exchange.[43] The Exchange represents that it will complete the full nomination, petition, and voting process set forth in the MX2 LLC Agreement, which will provide persons that are approved as MX2 members after the date that the Commission grants the Exchange's registration as a national securities exchange with the opportunity to participate in the selection of Member Representative Directors as promptly as possible after the effective date of the MX2 LLC Agreement.[44]

3. Exchange Committees

MX2 has proposed to establish several named committees of the Exchange Board, including: an Appeals Committee[45] and a Regulatory Oversight Committee,[46] as well as the Nominating Committee and Member Nominating Committee, discussed above.[47]

The Appeals Committee will consist of two Independent Directors, and one Member Representative Director.[48] Each member of the Regulatory Oversight Committee must be an Independent Director.[49]

The MX2 proposed named committees, which are similar to the named committees maintained by other exchanges,[50] are designed to help enable the Exchange to carry out its responsibilities under the Act and are consistent with the Act, including Section 6(b)(1), which requires, in part, an exchange to be so organized and have the capacity to carry out the purposes of the Act.[51]

B. MEMX Holdings and Regulation of the Exchange

When MX2 commences operations as a national securities exchange, it will have all of the attendant regulatory obligations under the Act. In particular, MX2 will be responsible for the operation and regulation of its trading system and the regulation of its members. Certain provisions in both the MX2 and MEMX Holdings governing documents are designed to facilitate the ability of MX2 to fulfill its regulatory obligations and to help facilitate Commission oversight of MX2. The discussion below summarizes some of these key provisions.

1. Ownership Structure; Ownership and Voting Limitations

As stated above, MX2 will be owned by MEMX Holdings. The proposed Eighth Amended and Restated Limited Liability Company Agreement of MEMX Holdings (''MEMX Holdings LLC Agreement'') includes restrictions on the ability to own and vote units representing a fractional part of the interest in MEMX Holdings (''Units'').[52] These limitations are designed to prevent any party to the MEMX Holdings LLC Agreement from exercising undue control over the operation of the Exchange and to ensure that the Exchange and the Commission are able to carry out their regulatory obligations under the Act.

In particular, for so long as MEMX Holdings shall control, directly or indirectly, MX2, no person,[53] either alone or together with its related persons,[54] will be permitted to beneficially own, directly or indirectly, of record or beneficially, shares constituting more than 40% of any class of Units.[55] A more restrictive condition will apply to the broker-dealer members of the Exchange, who will be prohibited from beneficially owning, directly or indirectly, either alone or together with their related persons, more than 20% of any class of Units.[56] If any party to the MEMX Holdings LLC Agreement purports to transfer[57] any Units or Unit Equivalents[58] in violation of these ownership limits, MEMX Holdings will be required (to the extent funds are legally available) to redeem the Units in excess of the applicable ownership limit.[59]

[41] *See* Form 1, Exhibit J.

[42] *See id. See also* MX2 LLC Agreement, Article VII, Section 7.3.

[43] *See* MX2 LLC Agreement, Article VII, Section 7.3(f).

[44] *See* Form 1, Exhibit J.

[45] *See* MX2 LLC Agreement, Article VIII, Section 8.1. The Appeals Committee will preside over all appeals related to disciplinary and adverse action determinations in accordance with MX2 rules. *See* MX2 LLC Agreement, Article VIII, Section 8.6.

[46] *See* MX2 LLC Agreement, Article VIII, Section 8.1. The Regulatory Oversight Committee will be responsible for establishing the goals, assessing the performance, and fixing the compensation of the Chief Regulatory Officer and for recommending personnel actions involving the Chief Regulatory Officer and senior regulatory personnel. *See* MX2 LLC Agreement, Article VIII, Section 8.8(c).

[47] The Exchange Board could also establish additional committees. *See* MX2 LLC Agreement, Article VIII, Section 8.1. All committees of the Board will be subject to the control and supervision of the Board. *See id.*

[48] *See* MX2 LLC Agreement, Article VIII, Section 8.6.

[49] *See* MX2 LLC Agreement, Article VIII, Section 8.8(e).

[50] *See, e.g.,* MEMX Order, *supra* note 16, at 27453. *See also* Securities Exchange Act Release No. 78101 (June 17, 2016), 81 FR 41142 (June 23, 2016) (File No. 10–222) (order granting exchange registration of Investors' Exchange, LLC) (''IEX Order''); Article IV, Section 4.1 of the Eleventh Amended and Restated Bylaws of Cboe Exchange, Inc.

[51] 15 U.S.C. 78f(b)(1).

[52] ''Unit'' is defined in Article I, Section 1.1 of the MEMX Holdings LLC Agreement. These provisions are consistent with ownership and voting limits approved by the Commission for other SROs. *See, e.g.,* MEMX Order, *supra* note 16, IEX Order, *supra* note 50, and LTSE Order, MIAX PEARL Order, MIAX Order, and BATS Order, *supra* note 38; *see also* Securities Exchange Act Release Nos. 76998 (Jan. 29, 2016), 81 FR 6066 (Feb. 4, 2016) (File No. 10–221) (order granting exchange registration of ISE Mercury, LLC) (''ISE Mercury Order''); 70050 (July 26, 2013), 78 FR 46622, 46624 (Aug. 1, 2013) (File No. 10–209) (order granting exchange registration of ISE Gemini, LLC) (''ISE Gemini Order''); 62158 (May 24, 2010), 75 FR 30082 (May 28, 2010) (CBOE–2008–88) (Cboe demutualization order); 53963 (June 8, 2006), 71 FR 34660 (June 15, 2006) (SR–NSX–2006–03) (NSX demutualization order); 51149 (Feb. 8, 2005), 70 FR 7531 (Feb. 14, 2005) (SR–CHX–2004–26) (CHX demutualization order); and 49098 (Jan. 16, 2004), 69 FR 3974 (Jan. 27, 2004) (SR–Phlx–2003–73) (Phlx demutualization order).

[53] *See* MEMX Holdings LLC Agreement, Article I, Section 1.1 (defining ''Person'').

[54] *See id.* (defining ''Related Persons'').

[55] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(a)(i). There are limited exceptions to these prohibitions. *See infra* notes 63–65 and accompanying text.

[56] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(a)(ii). This restriction, unlike others discussed below (*see infra* note 63 and accompanying text), cannot be waived. *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(b)(ii).

[57] *See* MEMX Holdings LLC Agreement, Article I, Section 1.1 (defining ''transfer'' in this context).

[58] *See id.* (defining ''Unit Equivalents'').

[59] *See* MEMX Holdings LLC Agreement, Article III, Section 3.7(c). The price of the redeemed Units or Unit Equivalents is also prescribed in the MEMX Holdings LLC Agreement. *See id.* The number of Units or Unit Equivalents to be redeemed is to be calculated after taking into account that the redeemed Units or Unit Equivalents will become treasury shares and will no longer be deemed to be outstanding. *See id.* It is further provided in the MEMX Holdings LLC Agreement that any Units or Unit Equivalents that have been called for redemption may not be deemed outstanding Units or Unit Equivalents if a sum sufficient to redeem the Units or Unit Equivalents has been irrevocably deposited or set aside to pay the redemption price.

Continued

In addition, no person, alone or together with its related persons, may, directly, indirectly, or pursuant to any agreement, vote or cause the voting of Units or give any consent or proxy with respect to Units representing more than 20% of the voting power of the then issued and outstanding Units (''Voting Limitation'').[60] Further, no person, either alone or together with its related persons, may enter into any agreement, plan or other arrangement with any other person, either alone or together with its related persons, under circumstances that would result in the Units that are subject to such agreement, plan, or other arrangement not being voted on any matter or matters or any proxy relating thereto being withheld, where the effect of such agreement, plan, or other arrangement would be to enable any person, either alone or together with its related persons, to vote, possess the right to vote, or cause the voting of Units that would represent more than 20% of the voting power of the then issued and outstanding Units.[61]

The MEMX Holdings Board will be permitted to waive the 40% ownership limitation and the 20% Voting Limitation pursuant to a resolution duly adopted by the MEMX Holdings Board by Supermajority Board Vote,[62] if it makes certain determinations.[63] Any such waiver will not be effective unless and until approved by the Commission.[64]

Any person that proposes to own Units in excess of the 40% ownership limitation, or to vote or grant any proxies or consents with respect to Units constituting more than 20% of the voting power of the then outstanding Units, will be required to deliver written notice to the MEMX Holdings Board of its intention.[65] The notice must be delivered to the MEMX Holdings Board not less than 45 days (or any shorter period to which the Board expressly consents) before the proposed ownership of such Units or the proposed vote.[66]

The MEMX Holdings LLC Agreement also contains provisions that are designed to further safeguard the ownership and voting limitations described above, or are otherwise related to direct and indirect changes in control. Specifically, any person that, either alone or together with its related persons beneficially owns, directly or indirectly (whether by acquisition or a change in the number of Units outstanding), of record or beneficially 5% or more of the then outstanding Units will be required to notify the MEMX Holdings Board in writing of such ownership.[67] Thereafter, such persons will be required to update MEMX Holdings of any increase or decrease of 1% or more in their previously reported ownership percentage.[68] Further, in the event of a merger or affiliation between MEMX Holdings members, the surviving member or surviving affiliated group will (1) if both such members had nominated a director that is serving on the MEMX Holdings Board at the time of their merger or affiliation, remove or cause the removal of one of such directors effective upon the consummation of such merger or affiliation, and (2) thereafter have the right to nominate only one director and the number of directors shall be reduced accordingly.[69]

The Exchange's LLC Agreement does not include the same change of control provisions that are present in the MEMX Holdings LLC Agreement because the MX2 LLC Agreement instead explicitly identifies its owner (MEMX Holdings) by name as the Company Member of MX2.[70] Thus, any changes in the ownership of MX2 would require the MX2 LLC Agreement to be amended. Any amendment to the MX2 LLC Agreement, including to ownership of the Exchange, would constitute a proposed rule change under Section 19(b) of the Act[71] and Rule 19b–4[72] thereunder that will be required to be filed with, or filed with and approved by, the Commission.[73] Moreover, pursuant to the MX2 LLC Agreement itself, any transfer of limited liability company interests of MX2 will be subject to prior approval by the Commission pursuant to the rule filing procedure under Section 19 of the Act.[74]

Although MEMX Holdings is not directly responsible for regulation, its activities with respect to the operation of MX2 must be consistent with, and must not interfere with, the self-regulatory obligations of MX2.[75] As described above, the provisions applicable to direct and indirect changes in control of MEMX Holdings and MX2, as well as the voting limitation imposed on owners of MEMX

From and after the redemption date (unless MEMX Holdings defaults in providing funds for the payment of the redemption price), the redeemed Units or Unit Equivalents that have been redeemed will become treasury shares, and all rights of the holder of the redeemed Units or Unit Equivalents in MEMX Holdings (except the right to receive from MEMX Holdings the redemption price against delivery to MEMX Holdings of evidence of ownership of the shares) will cease. *See id.* In addition, in the event that any redemption has resulted in any person owning such number of Units or Unit Equivalents that is in violation of the ownership limits, MEMX Holdings will be required to redeem those Units or Unit Equivalents pursuant to the limitation provisions. *See id.*

[60] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(a)(iii).

[61] *See id.* In addition, the quorum requirements of the MEMX Holdings board of directors (''MEMX Holdings Board'') will require the presence of (1) a Market Maker Director, (2) a Bank Director, (3) a Buy Side Director, and (4) a Retail Broker Director. *See* MEMX Holdings LLC Agreement, Article VIII, Section 8.6(a)(i). *See also* MEMX Holdings LLC Agreement, Article I, Section 1.1 (defining Market Maker Director, Bank Director, Buy Side Director, and Retail Broker Director). This quorum provision will guard against undue influence over the affairs of MEMX Holdings by any particular category of MEMX Holdings investor.

[62] *See* MEMX Holdings LLC Agreement, Article I, Section 1.1 (defining ''Supermajority Board Vote'').

[63] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(b)(ii). *See also supra* note 56 (concerning the inability to waive restrictions for broker-dealer members of the Exchange). The required determinations are that such waiver will not impair the ability of the Exchange to carry out its functions and responsibilities as an ''exchange'' under the Act and the rules and regulations promulgated thereunder; that such waiver is otherwise in the best interests of MEMX Holdings, its stockholders, and the Exchange; that such waiver will not impair the ability of the Commission to enforce the Act and the rules and regulations promulgated thereunder; and that such Person and its Related Persons are not subject to any applicable ''statutory disqualification'' within the meaning of Section 3(a)(39) of the Act. *See id. See also* MEMX Holdings LLC Agreement, Article III, Section 3.5(c). These provisions are consistent with ownership and voting limits approved by the Commission for other SROs. *See, e.g.,* MEMX Order, *supra* note 16, IEX Order, *supra* note 50, ISE Mercury Order and ISE Gemini Order, *supra* note 52; LTSE Order, MIAX PEARL Order, MIAX Order, and BATS Order, *supra* note 38; and Securities Exchange Act Release No. 61698 (Mar. 12, 2010), 75 FR 13151 (Mar. 18, 2010) (File Nos. 10–194 and 10–196) (order granting exchange registration of DirectEdge exchanges) (''DirectEdge Exchanges Order'').

[64] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(b)(ii).

[65] *See* MEMX Holdings LLC Agreement, Article III, Section 3.5(d).

[66] *See id.*

[67] *See* MEMX Holdings LLC Agreement, Article III, Section 3.6(a). The notice will require the Person's full legal name; the Person's title or status and the date on which such title or status was acquired; the Person's and its Related Person's) approximate ownership interest in MEMX Holdings; and whether the person has power, directly or indirectly, to direct the management or policies of MEMX Holdings, whether through ownership of securities, by contract or otherwise. *See id.*

[68] *See* MEMX Holdings LLC Agreement, Article III, Section 3.6(b). Changes of less than 1% must also be reported to MEMX Holdings if they result in such Person crossing a 20% or 40% ownership threshold. *See id.* In addition, the Exchange's rules also impose limits on affiliation between the Exchange and a member of the Exchange. *See* MX2 Rule 2.10 (No Affiliation between Exchange and any Member).

[69] *See* MEMX Holdings LLC Agreement, Article VIII, Section 8.17(a). *See also* MX2 LLC Agreement, Article VII, Section 7.3(c)(v).

[70] *See* MX2 LLC Agreement, Schedule 1.

[71] 15 U.S.C. 78s(b).

[72] 17 CFR 240.19b–4.

[73] *See* MX2 LLC Agreement, Article XVIII, Section 18.2.

[74] *See* MX2 LLC Agreement, Article XV, Section 15.1(a).

[75] *See, e.g.,* IEX Order, *supra* note 50.

Holdings who also are MX2 members, are designed to help prevent any owner of MEMX Holdings from exercising undue influence or control over the operation of the Exchange and to help ensure that the Exchange retains a sufficient degree of independence to effectively carry out its regulatory obligations under the Act.

In addition, these limitations are designed to address the conflicts of interests that might result from a member of a national securities exchange owning interests in the exchange. As the Commission has stated in the past, a member's ownership interest in an entity that controls an exchange could become so large as to cast doubt on whether the exchange may fairly and objectively exercise its self-regulatory responsibilities with respect to such member.[76] A member that is a controlling shareholder of an exchange could seek to exercise that controlling influence by directing the exchange to refrain from, or the exchange may hesitate to, diligently monitor and conduct surveillance of the member's conduct or diligently enforce the exchange's rules and the federal securities laws with respect to conduct by the member that violates such provisions. As such, these requirements are designed to minimize the potential that a person or entity can improperly interfere with or restrict the ability of the Exchange to effectively carry out its regulatory oversight responsibilities under the Act.

The Commission has recognized that ''to be effective, an SRO must be structured in such a way that regulatory staff is unencumbered by inappropriate business pressure'' that could ''inhibit effective regulation and discourage vigorous enforcement against members.'' [77] To help ensure independent and empowered SRO regulatory operations, MX2 has, among other things, adopted a governance structure designed to mitigate the inherent conflict. Specifically, MX2 has an independent Chief Regulatory Officer that oversees the exchange's regulatory operations and that reports to an independent Regulatory Oversight Committee of the exchange board of directors. In addition, MX2 has a majority independent board of directors with other key independent board committees, such as the Regulatory Oversight Committee.[78]

Ownership and voting limits in the governing documents of the exchange and/or its holding company further protects the status of SRO independence. The provisions that MX2 has proposed, which are consistent with those in place across all exchanges today, are designed to prevent any direct or indirect owner from exercising control over the operation of the exchange as well as to ensure that the exchange and the Commission are able to carry out their regulatory obligations under the Act. These provisions impose limits on voting and ownership of exchange holding companies, with more stringent ownership limits imposed on member owners.[79]

As a registered exchange, MX2 will be subject to the same regulatory standards applicable to any other exchange regardless of the identity of the ultimate owners of that exchange. As discussed above and further below, MX2 has proposed to adopt industry-standard protections in a governance structure for itself and its holding company that is designed to preserve MX2's self-regulatory independence by protecting MX2 from inappropriate business pressures.

MX2's and MEMX Holdings' proposed governance provisions are consistent with the Act, including Section 6(b)(1), which requires, in part, an exchange to be so organized and have the capacity to carry out the purposes of the Act.[80] In particular, these requirements are designed to minimize the potential that a person could improperly interfere with or restrict the ability of the Commission or the Exchange to effectively carry out their regulatory oversight responsibilities under the Act.

2. Regulatory Independence and Oversight

Although MEMX Holdings will not itself carry out regulatory functions, its activities with respect to the operation of MX2 must be consistent with, and must not interfere with, MX2's self-regulatory obligations. In this regard, MX2 and MEMX Holdings propose to adopt certain provisions in their respective governing documents that are designed to help maintain the independence of the regulatory functions of MX2. These proposed provisions are substantially similar to those included in the governing documents of other exchanges that recently have been granted registration.[81] Specifically:

- the directors, officers, employees, and agents of MEMX Holdings must give due regard to the preservation of the independence of the self-regulatory function of MX2 and to its obligations to investors and the general public and must not take actions which would interfere with the effectuation of decisions by the Exchange Board relating to its regulatory functions (including disciplinary matters) or which would interfere with MX2's ability to carry out its responsibilities under the Act.[82]
- MEMX Holdings must comply with the federal securities laws and the rules and regulations promulgated thereunder, and must cooperate with the Commission, MX2, Financial Industry Regulatory Authority, Inc. (''FINRA''), and any other SROs of which MEMX Execution Services LLC (''MEMX ES'') is a member, pursuant to and to the extent of their respective regulatory authority.[83] In addition, MEMX Holdings' officers, directors, employees, and agents must comply with the federal securities laws and the rules and regulations promulgated

[76] *See, e.g.,* MEMX Order, *supra* note 16; ISE Mercury Order, *supra* note 52; IEX Order, *supra* note 50; LTSE Order, MIAX PEARL Order, MIAX Order, and BATS Order, *supra* note 38; and DirectEdge Exchanges Order, *supra* note 63.

[77] *See, e.g.,* Securities Exchange Act Release No. 50700 (Nov. 18, 2004), 69 FR 71256 (Dec. 8, 2004) (Concept Release Concerning Self-Regulation). Nevertheless, the federal securities laws require member involvement in the overall governance and administration of an exchange. *See, e.g.,* 15 U.S.C. 78f(b)(3) (requiring an exchange, among other things, to provide to its broker-dealer members ''a fair representation of its members in the selection of its directors and administration of its affairs'').

[78] Each member of the Regulatory Oversight Committee will be an Independent Director. *See* Article VIII, Section 8.8(e) of the MX2 LLC Agreement.

[79] *See supra* notes 53–74 and accompanying text.

[80] 15 U.S.C. 78f(b)(1).

[81] *See, e.g.,* MEMX Order, *supra* note 16; IEX Order, *supra* note 50; LTSE Order and MIAX Order, *supra* note 38; and DirectEdge Exchanges Order, *supra* note 63.

[82] *See* MEMX Holdings LLC Agreement, Article VIII, Section 8.18(b). Similarly, Article VII, Section 7.2(b) of the MX2 LLC Agreement requires the Exchange Board and each Director, when managing the business and affairs of MX2, to consider the requirements of Section 6(b) of the Act and requires each Director, officer, or employee of MX2 to comply with the federal securities laws and regulations thereunder and cooperate with the Commission, and MX2 pursuant to its regulatory authority. Article VII, Section 7.2(c) of the MX2 LLC Agreement also requires the Exchange Board, when evaluating any proposal to take into account all factors that the Exchange Board deems relevant, including, without limitation, to the extent deemed relevant: the potential impact on the integrity, continuity and stability of the national securities exchange operated by MX2 and the other operations of MX2, on the ability to prevent fraudulent and manipulative acts and practices, and on investors and the public, and whether such proposal would promote just and equitable principles of trade, foster cooperation and coordination with Persons engaged in regulating, clearing, settling, processing information with respect to and facilitating transactions in securities or assist in the removal of impediments to or perfection of the mechanisms for a free and open market and a national market system.

[83] *See* MEMX Holdings LLC Agreement, Article XI, Section 11.3(h). MEMX ES is a subsidiary of MEMX Holdings that is a broker-dealer and a member of FINRA. *See id.*

thereunder and are deemed to agree to cooperate with: (1) the Commission and MX2 in respect of the Commission's oversight responsibilities regarding MX2 and the self-regulatory functions and responsibilities of MX2; and (2) FINRA, any other SROs of which MEMX ES is a member, and MEMX ES in respect of FINRA's and any such other SRO's oversight responsibilities regarding MEMX ES.[84] MEMX Holdings must take reasonable steps necessary to cause its officers, directors, employees and agents to so cooperate.[85]

- MEMX Holdings, and its officers, directors, employees, and agents must submit to the jurisdiction of the U.S. federal courts, the Commission, and MX2, for purposes of any suit, action or proceeding pursuant to the U.S. federal securities laws, and the rules and regulations thereunder, arising out of, or relating to, MX2 activities.[86]
- All books and records of MX2 reflecting confidential information pertaining to the self-regulatory function of MX2 (including but not limited to disciplinary matters, trading data, trading practices, and audit information) must be retained in confidence by MX2 and its personnel, including directors, Board observers, officers, employees, and agents, and will not be used by MX2 for any non-regulatory purposes and shall not be made available to any person (including, without limitation, any MX2 member) other than to personnel of the Commission, personnel of another self-regulatory organization performing regulatory services on behalf of MX2, a processor operating pursuant to an effective national market system plan (*i.e.,* the Consolidated Audit Trail processor), and those personnel of MX2, members of committees of the Exchange Board, members of the Exchange Board, or hearing officers and other agents of MX2, to the extent necessary or appropriate to properly discharge the self-regulatory responsibilities of MX2.[87] Similar provisions apply to MEMX Holdings and its directors, officers, employees, and agents.[88]
- The books and records of MX2 and MEMX Holdings must be maintained in the United States[89] and, to the extent they are related to the operation or administration of MX2, MEMX Holdings' books and records will be subject at all times to inspection and copying by the Commission and MX2.[90]
- Furthermore, to the extent they are related to the operation or administration of MX2, the books, records, premises, officers, directors, employees, and agents of MEMX Holdings will be deemed to be the books, records, premises, officers, directors, employees, and agents of MX2, for purposes of, and subject to oversight pursuant to, the Act.[91]
- MEMX Holdings will take reasonable steps necessary to cause its officers, directors, employees, and agents, prior to accepting a position as an officer, director, employee or agent (as applicable) with MEMX Holdings to consent in writing to the applicability of provisions regarding non-interference, confidentiality, books and records, compliance and cooperation, jurisdiction, and regulatory obligations, with respect to their activities related to MX2.[92]
- The MEMX Holdings LLC Agreement requires that, so long as MEMX Holdings controls MX2, any changes to that document must be submitted to the Exchange Board for approval, and, if such change is required to be filed with the Commission pursuant to Section 19(b) of the Act and the rules and regulations thereunder, such change shall not be effective until filed with and effective by operation of law, or filed with, and approved by, the Commission.[93]

The provisions discussed in this section, which are designed to help ensure the independence of MX2's regulatory function and facilitate the ability of MX2 to carry out its regulatory responsibilities under, and operate in a manner consistent with, the Act, are appropriate and consistent with the requirements of the Act, particularly with Section 6(b)(1), which requires, in part, an exchange to be so organized and have the capacity to carry out the purposes of the Act.[94]

Further, Section 19(h)(1) of the Act[95] provides the Commission with the authority ''to suspend for a period not exceeding twelve months or revoke the registration of [an SRO], or to censure or impose limitations upon the activities, functions, and operations of [an SRO], if [the Commission] finds, on the record after notice and opportunity for hearing, that [the SRO] has violated or is unable to comply with any provision of the Act, the rules or regulations thereunder, or its own rules or without reasonable justification or excuse has failed to enforce compliance . . . '' with any such provision by its members (including associated persons thereof). If the Commission were to find, or become aware of, through staff review and inspection or otherwise, facts indicating any violations of the Act, including without limitation Sections 6(b)(1) and 19(g)(1),[96] these matters could provide the basis for a disciplinary proceeding under Section 19(h)(1) of the Act.

Even in the absence of the governance provisions described above, under Section 20(a) of the Act,[97] any person with a controlling interest in MX2 would be jointly and severally liable with and to the same extent that MX2 is liable under any provision of the Act, unless the controlling person acted in good faith and did not directly or indirectly induce the act or acts constituting the violation or cause of action. In addition, Section 20(e) of the Act[98] creates aiding and abetting liability for any person who knowingly provides substantial assistance to another person in violation of any provision of the Act or rule thereunder. Further, Section 21C of the Act[99] authorizes the Commission to enter a cease-and-desist order against any person who has been ''a cause of'' a violation of any provision of the Act through an act or omission that the person knew or should have known would contribute to the violation. These provisions are applicable to MEMX Holdings.

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[84] *See id.*

[85] *See id.*

[86] *See* MEMX Holdings LLC Agreement, Article XV, Section 15.12(b).

[87] *See* MX2 LLC Agreement, Article XIII, Section 13.1. *See also* MX2 LLC Agreement, Article VII, Section 7.3(c)(ix) (discussing the rights of MEMX Holdings investors to appoint non-voting observers to the Exchange Board).

[88] The MEMX Holdings LLC Agreement provides that all books and records of MX2 reflecting confidential information pertaining to the self-regulatory function of MX2 that come into the possession of MEMX Holdings, and the information contained in those books and records, will be subject to confidentiality restrictions and will not be used for any non-regulatory purposes. *See* MEMX Holdings LLC Agreement, Article XII, Section 12.2(c). The MX2 and MEMX Holdings governing documents acknowledge that requirements to keep such information confidential shall not limit or impede the rights of the Commission to access and examine such information or limit the ability of officers, directors, employees, or agents of MX2 or MEMX Holdings to disclose such information to the Commission or MX2. *See* MX2 LLC Agreement, Article XIII, Section 13.1 and MEMX Holdings LLC Agreement, Article XII, Section 12.2(c).

[89] *See* MX2 LLC Agreement, Article XIII, Section 13.1; and MEMX Holdings LLC Agreement, Article XII, Section 12.2(a).

[90] *See* MEMX Holdings LLC Agreement, Article XII, Section 12.2(b).

[91] *See id.*

[92] *See* MEMX Holdings LLC Agreement, Article VIII, Section 8.18(b).

[93] *See* MEMX Holdings LLC Agreement, Article XV, Section 15.9(a).

[94] 15 U.S.C. 78f(b)(1).

[95] *See* 15 U.S.C. 78s(h)(1).

[96] 15 U.S.C. 78f(b)(1); 15 U.S.C. 78s(g)(1).

[97] 15 U.S.C. 78t(a).

[98] 15 U.S.C. 78t(e).

[99] 15 U.S.C. 78u–3.

3. Regulatory Oversight Committee

The regulatory operations of MX2 will be monitored by the Regulatory Oversight Committee of the Exchange Board. As mentioned above, the Regulatory Oversight Committee will consist only of Independent Directors.[100] The Regulatory Oversight Committee will be responsible for overseeing the adequacy and effectiveness of MX2's regulatory and SRO responsibilities, assessing MX2's regulatory performance, and assisting the Exchange Board (and committees of the Exchange Board) in reviewing MX2's regulatory plan and the overall effectiveness of MX2's regulatory functions.[101]

Further, the Chief Regulatory Officer (''CRO'') of MX2 will have general supervision over MX2's regulatory operations, including responsibility for overseeing MX2's surveillance, examination, and enforcement functions and for administering any regulatory services agreements with another SRO to which MX2 is a party.[102] The Regulatory Oversight Committee, in consultation with the Chief Executive Officer of MX2, will be responsible for establishing the goals, assessing the performance, and fixing the compensation of the CRO and for recommending personnel actions involving the CRO and senior regulatory personnel.[103]

4. Regulatory Funding and Services

As a prerequisite for the Commission's granting of an exchange's application for registration, an exchange must be organized and have the capacity to carry out the purposes of the Act.[104] Specifically, an exchange must be able to enforce compliance by its members, and persons associated with its members, with the federal securities laws and rules thereunder and the rules of the exchange.[105] The discussion below summarizes how MX2 proposes to conduct and structure its regulatory operations.

a. Regulatory Funding

To help ensure that MX2 has and will continue to have adequate funding to be able to meet its responsibilities under the Act, MX2 states that, if the Commission approves MX2's application for registration as a national securities exchange, MEMX Holdings will allocate sufficient assets to MX2 to enable the Exchange's operation.[106] Specifically, MX2 represents that MEMX Holdings will make a cash contribution to MX2 of $5,000,000, ''in addition to any previously-provided in-kind contributions, such as legal, regulatory, and infrastructure-related services.'' [107] MX2 also represents that such cash and in-kind contributions from MEMX Holdings will be adequate to operate MX2, including the regulation of the Exchange, and that MEMX Holdings and MX2 will enter into an agreement that requires MEMX Holdings to provide adequate funding for the Exchange's operations, including the regulation of the Exchange.[108]

Further, any ''Regulatory Funds'' received by MX2 will not be used for non-regulatory purposes or distributed, advanced or allocated to MEMX Holdings, but rather will be applied to fund the regulatory operations of MX2, or, as applicable, used to pay restitution and disgorgement to customers.[109] Any excess non-regulatory funds, as solely determined by MX2, will be remitted to MEMX Holdings in accordance with the MX2 LLC Agreement.[110]

b. Regulatory Contract With FINRA

Although MX2 will be an SRO with all of the attendant regulatory obligations under the Act, it has represented to the Commission that it intends to enter into a regulatory services agreement (''RSA'') with FINRA, under which FINRA as a regulatory services provider will perform certain regulatory functions on MX2's behalf.[111] Specifically, MX2 expects that such services will include performance of investigation, disciplinary, and hearing services.[112] Notwithstanding the RSA, MX2 will retain legal responsibility for the regulation of its members and its market and the performance of FINRA as its regulatory services provider. Because MX2 anticipates entering into an RSA with FINRA, it has not made provisions to fulfill the regulatory services that will be undertaken by FINRA. Accordingly, the Commission is conditioning the operation of MX2 on a final RSA that specifies the services that will be provided to MX2.

It is consistent with the Act for MX2 to contract with FINRA to perform certain examination, enforcement, and disciplinary functions.[113] These functions are fundamental elements of a regulatory program and constitute core self-regulatory functions. FINRA has the expertise and experience to perform these functions for MX2.[114] However, MX2, unless relieved by the Commission of its responsibility, bears the self-regulatory responsibilities and primary liability for self-regulatory failures, not the SRO retained to perform regulatory functions on MX2's behalf.[115] In performing these regulatory functions, however, FINRA may nonetheless bear liability for causing or aiding and abetting the failure of MX2 to perform its regulatory functions.[116] Accordingly, although FINRA will not act on its own behalf under its SRO

[100] *See supra* note 49 and accompanying text.

[101] *See* MX2 LLC Agreement, Article VIII, Section 8.8(a).

[102] *See* MX2 LLC Agreement, Article IX, Section 9.3.

[103] *See* MX2 LLC Agreement, Article VIII, Section 8.8(c). To the extent that the Chief Executive Officer of MX2 has any indirect supervisory responsibility for the role or function of the CRO, including but not limited to, implementation of the budget for the regulatory function or regulatory personnel matters, the Regulatory Oversight Committee will take all steps reasonably necessary to ensure that the Chief Executive Officer does not compromise the regulatory autonomy and independence of the CRO or the regulatory function. *See* MX2 LLC Agreement, Article VIII, Section 8.8(d).

[104] *See* 15 U.S.C. 78f(b)(1).

[105] *See id. See also* Section 19(g) of the Act, 15 U.S.C. 78s(g).

[106] *See* Form 1, Exhibit I.

[107] *See id.*

[108] *See id.* MX2 represents that this agreement will provide that MX2 will receive all fees, including regulatory fees and trading fees, payable by MX2's members, as well as any funds received from any applicable market data fees and tape revenue, and will further provide that MEMX Holdings will reimburse MX2 for its costs and expenses to the extent that the Exchange's assets are insufficient to meet its costs and expenses. *See id.*

[109] *See* MX2 LLC Agreement, Article XVII, Section 17.4(b). Article I, Section 1.1 of the MX2 LLC Agreement defines ''Regulatory Funds'' as ''fees, fines, or penalties derived from the regulatory operations of [MX2],'' but such term does not include ''revenues derived from listing fees, market data revenues, transaction revenues, or any other aspect of the commercial operations of [MX2], even if a portion of such revenues are used to pay costs associated with the regulatory operations of [MX2].'' This definition is consistent with the rules of other SROs. *See, e.g.,* MEMX LLC Agreement, Article XVII, Section 17.4(b); LTSE Bylaws, Article I(bb); Amended and Restated By-Laws of MIAX Exchange, Article 1(ll); By-Laws of NASDAQ PHLX LLC, Article I(ii); and By-Laws of NASDAQ BX, Inc., Article I(ii).

[110] *See* Form 1, Exhibit I.

[111] *See* Form 1, Exhibit L. *See also* MX2 Rule 9.8.

[112] *See* Form 1, Exhibit L.

[113] For example, MEMX, LTSE, IEX, MIAX Exchange, MIAX PEARL, LLC, Nasdaq MRX, LLC, Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc. (''Cboe EDGX''), and Cboe BZX Exchange, Inc. have entered into RSAs with FINRA.

[114] *See, e.g.,* MEMX Order, *supra* note 16; LTSE Order, *supra* note 38; IEX Order, *supra* note 50; DirectEdge Exchanges Order, *supra* note 63; and Nasdaq Order, *supra* note 38. The Commission is not approving the RSA or any of its specific terms.

[115] *See* 15 U.S.C. 78s(g)(1).

[116] For example, if failings by FINRA have the effect of leaving MX2 in violation of any aspect of MX2's self-regulatory obligations, MX2 would bear direct liability for the violation, while FINRA may bear liability for causing or aiding and abetting the violation. *See, e.g.,* MEMX Order, *supra* note 16; LTSE Order, *supra* note 38; IEX Order, *supra* note 50; Nasdaq Order and BATS Order, *supra* note 38; and DirectEdge Exchanges Order, *supra* note 63.

responsibilities in carrying out these regulatory services for MX2, FINRA may have secondary liability if, for example, the Commission finds that the contracted functions are being performed so inadequately as to cause a violation of the federal securities laws or rules thereunder by MX2.[117]

c. Rule 17d–2 Agreements

Section 19(g)(1) of the Act,[118] among other things, requires every SRO registered as either a national securities exchange or national securities association to comply with the Act, the rules and regulations thereunder, and the SRO's own rules, and, absent reasonable justification or excuse, enforce compliance by its members and persons associated with its members.[119] Rule 17d–2 of the Act permits SROs to propose joint plans to allocate regulatory responsibilities amongst themselves for their common rules with respect to their common members.[120] These agreements, which must be filed with and declared effective by the Commission, generally cover areas where each SRO's rules substantively overlap, including such regulatory functions as personnel registration and sales practices. For example, the Commission recently declared effective a plan to allocate regulatory responsibilities between FINRA and MEMX pursuant to which FINRA assumes examination and enforcement responsibility for broker-dealers that are members of both FINRA and MEMX with respect to the rules of MEMX that are substantially similar to the applicable rules of FINRA, as well as certain specified provisions of the federal securities laws.[121]

A Rule 17d–2 plan that is declared effective by the Commission relieves the specified SRO of those regulatory responsibilities allocated by the plan to another SRO.[122] MX2 has represented to the Commission that it will join all applicable plans, including Rule 17d–2 plans for the allocation of regulatory responsibilities.[123] Similar to other exchanges, the Commission understands from MX2 that it will enter into a bilateral Rule 17d–2 agreement covering common members of MX2 and FINRA. This agreement will allocate to FINRA regulatory responsibility, with respect to common members, for specified regulatory and enforcement matters arising out of specified common rules and specified provisions of the Act and the rules and regulations thereunder. In addition, the Commission is conditioning operation of MX2 as an exchange on MX2 first joining the applicable multilateral Rule 17d–2 plans, including the multi-party Rule 17d–2 plan for the allocation of regulatory responsibilities with respect to certain Regulation NMS and Consolidated Audit Trail Rules and the multi-party Rule 17d–2 plan for the surveillance, investigation, and enforcement of common insider trading rules.[124]

Because MX2 anticipates entering into these Rule 17d–2 agreements, it has not made provision to fulfill the regulatory obligations that will be undertaken by FINRA and other SROs under these agreements with respect to common members.[125] Accordingly, the Commission is conditioning the operation of MX2 on approval by the Commission of a Rule 17d–2 agreement that allocates the above specified matters to FINRA, and the approval of an amendment to the existing multi-party Rule 17d–2 plans specified above to add MX2 as a party.

C. MX2 Trading System

MX2 will operate a fully automated electronic order book and will not maintain or operate a physical trading floor. Only broker-dealer members of MX2 and entities that enter into market access arrangements with members (collectively, ''Users'') will have access to the MX2 system.[126] Users will be able to electronically submit orders to buy or sell securities traded on the Exchange through a variety of systems.[127] MX2 will allow firms to register as market makers with affirmative and negative market making obligations.[128]

Users may submit orders to the Exchange as Limit Orders, Market Orders, or Pegged Orders.[129] Orders may be submitted with the following time-in-force instructions, as applicable: Immediate-or-Cancel; Day; Fill-or-Kill; Good 'til Time, and Regular Hours Only.[130] Users may submit orders with the display instructions of Displayed or Non-Displayed.[131] A Limit Order with a Displayed instruction also may include a Reserve Quantity.[132] Displayed orders will be displayed on an anonymous basis at a specified price.[133] Orders may be entered as a Round Lot, Odd Lot, or Mixed Lot.[134] In addition, a User may attach a Minimum Execution Quantity instruction to the order.[135] Users also may choose to designate orders as Book Only or Post Only.[136] MX2's proposed order types and instructions are similar to order types and instructions approved by the Commission and

[117] *See, e.g.,* MEMX Order, *supra* note 16; LTSE Order, *supra* note 38; IEX Order, *supra* note 50; and Nasdaq Order, *supra* note 38.

[118] 15 U.S.C. 78s(g)(1).

[119] 15 U.S.C. 78q(d) and 15 U.S.C. 78s(g)(2), respectively.

[120] *See* 15 U.S.C. 78q(d)(1) and 17 CFR 240.17d–2. Section 17(d)(1) of the Act allows the Commission to relieve an SRO of certain responsibilities with respect to members of the SRO who are also members of another SRO (''common members''). Specifically, Section 17(d)(1) allows the Commission to relieve an SRO of its responsibilities to: (i) receive regulatory reports from such members; (ii) examine such members for compliance with the Act and the rules and regulations thereunder, and the rules of the SRO; or (iii) carry out other specified regulatory responsibilities with respect to such members.

[121] *See* Securities Exchange Act Release No. 96101 (Oct. 18, 2022), 87 FR 64280 (Oct. 24, 2022) (File No. 4–762). *See also, e.g.,* Securities Exchange Act Release Nos. 86587 (Aug. 7, 2019), 84 FR 39883 (Aug. 12, 2019) (File No. 4–747) (FINRA/LTSE); 83696 (July 24, 2018), 83 FR 35682 (July 27, 2018) (File No. 4–678) (FINRA/MIAX Exchange/MIAX PEARL); 77321 (Mar. 8, 2016), 81 FR 13434 (Mar. 14, 2016) (File No. 4–697) (FINRA/ISE Mercury, LLC); 73641 (Nov. 19, 2014), 79 FR 70230 (Nov. 25, 2014) (File No. 4–678) (FINRA/MIAX Exchange); 70053 (July 26, 2013), 78 FR 46656 (Aug. 1, 2013) (File No. 4–663) (FINRA/Topaz Exchange n/k/a ISE Gemini, LLC); 59218 (Jan. 8, 2009), 74 FR 2143 (Jan. 14, 2009) (File No. 4–575) (FINRA/Boston Stock Exchange, Inc. (''BSE'')); 58818 (Oct. 20, 2008), 73 FR 63752 (Oct. 27, 2008) (File No. 4–569) (FINRA/BATS Exchange, Inc.); 55755 (May 14, 2007), 72 FR 28087 (May 18, 2007) (File No. 4–536) (National Association of Securities Dealers, Inc. (''NASD'') n/k/a FINRA) and Chicago Board of Options Exchange, Inc. concerning the CBOE Stock Exchange, LLC); 55367 (Feb. 27, 2007), 72 FR 9983 (Mar. 6, 2007) (File No. 4–529) (NASD/International Securities Exchange, LLC); and 54136 (July 12, 2006), 71 FR 40759 (July 18, 2006) (File No. 4–517) (NASD/Nasdaq).

[122] *See* Securities Exchange Act Release No. 12935 (Oct. 28, 1976), 41 FR 49091 (Nov. 8, 1977) (Rule 17d–2 Adopting Release).

[123] *See* Form 1, Exhibit E.

[124] *See* Securities Exchange Act Release Nos. 100636 (Aug. 1, 2024), 89 FR 64517 (Aug. 7, 2024) (File No. 4–618) (multiparty plan concerning covered Regulation NMS and Consolidated Audit Trail rules); and 89972 (Sept. 23, 2020), 85 FR 61062 (Sept. 29, 2020) (File No, 4–566) (multiparty plan for insider trading rules).

[125] For common members, the regulatory obligations will be covered by the Rule 17d–2 agreements, and for MX2 members that are not also members of FINRA, the regulatory obligations will be covered by the RSA.

[126] To obtain authorized access to the MX2 system, each User must enter into a User Agreement with MX2. *See* MX2 Rule 11.3(a).

[127] For a discussion of the means of access to MX2, *see* MX2 Form 1, Exhibit E, Section 1.

[128] *See* MX2 Rules 11.17 through 11.20. MX2's rules relating to market makers are similar to the rules of other national securities exchanges. *See, e.g.,* MEMX Rules 11.17 through 11.20 and Cboe EDGX Rules 11.17 through 11.20.

[129] *See* MX2 Rule 11.8(a)–(c). Limit Orders may be designated as Intermarket Sweep Orders. *See* MX2 Rule 11.8(b)(5). Pegged Orders may be designated as either a Primary Peg or a Midpoint Peg. *See* MX2 Rules 11.6(h) and 11.8(c).

[130] *See* MX2 Rules 11.6(o) and 11.8.

[131] *See* MX2 Rules 11.6(c) and 11.8(a)–(c). Market Orders and Pegged Orders are not eligible for display. *See* MX2 Rules 11.8(a)(3) and 11.8(c)(3).

[132] *See* MX2 Rules 11.6(k), and 11.8(b)(4).

[133] *See* MX2 Rule 11.10(b).

[134] *See* MX2 Form 1, Exhibit E, Section 2, and MX2 Rules 11.6(q) and 11.8(a)–(c).

[135] *See* MX2 Rules 11.6(l) and 11.8(a)–(c).

[136] *See id.*

currently available on other national securities exchanges.[137]

Like MEMX, MX2 will offer a Random Replenishment instruction in connection with a Limit Order submitted with a Reserve Quantity instruction.[138] In addition to randomizing the size of the refreshed displayed portion, this instruction will allow the User to elect to have the MX2 system randomly replenish the displayed replenishment quantity at different time intervals ranging up to one millisecond following each execution that triggers replenishment.[139]

The MX2 system will continuously and automatically match orders pursuant to price/time priority. For equally-priced trading interest in time priority, MX2 will give first priority to the portion of a Limit Order with a displayed instruction over Limit Orders with a non-displayed instruction, Pegged Orders, and Reserve Quantity of Limit Orders.[140] With respect to the price of executions that would occur on MX2, the MX2 system is designed to comply with the order protection requirements of Rule 611 of Regulation NMS [141] by requiring that, for any execution to occur on MX2 during regular trading hours, the price must be equal to, or better than, the Protected NBBO unless an exception to Rule 611 applies.[142] Orders may be executed on the Exchange during the Market Session or during Pre- and Post-Market Sessions; [143] however, some order types and functionality are available only during the Market Session.[144]

In addition, MX2's rules are designed to address locked and crossed markets, as required by Rule 610(d) of Regulation NMS,[145] in that they are designed not to disseminate interest that would lock or cross a protected quote, require Users to reasonably avoid displaying interest that locks or crosses any protected quotation, and are reasonably designed to assure the reconciliation of locked or crossed interest.[146]

In addition, MX2 will offer outbound routing functionality though its affiliated routing broker-dealer, MEMX ES.[147] A member's use of the order routing functionality provided by the Exchange's affiliated routing broker-dealer is entirely optional and members may use other broker-dealers to route out to other market centers.[148]

The Commission finds that MX2's trading rules are consistent with the Act and, in particular, the Section 6(b)(5) requirement that an exchange's rules be designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system, and protect investors and the public interest.[149]

As stated above, MX2 proposes to offer routing services to its Users through its affiliated broker-dealer, MEMX ES.[150] The Commission previously has stated that an exchange-affiliated outbound router, as a ''facility'' of the exchange, will be subject to the exchange's and the Commission's regulatory oversight, and that the exchange will be responsible for ensuring that the affiliated outbound routing function is operated consistent with Section 6 of the Act and the exchange's rules.[151] For example, in approving an exchange with an affiliated outbound routing broker, the Commission previously stated that ''[a] conflict of interest would arise if the national securities exchange (or an affiliate) provided advantages to its broker-dealer that are not available to other members.'' [152] The Commission further explained that ''advantages, such as greater access to information, improved speed of execution, or enhanced operational capabilities in dealing with the exchange, might constitute unfair discrimination under the Act.'' [153]

MX2's proposed outbound routing rule is similar to rules the Commission has approved for other exchanges that utilize affiliated routing brokers.[154] In particular, MX2's affiliated broker-dealer does not have any structural or informational advantages in its provision of routing services as compared to a third-party broker-dealer member of MX2 performing a similar function for itself or others.[155] Accordingly, the outbound routing functionality of MX2 is consistent with the Act and, in particular, the Section 6(b)(5) requirement that an exchange's rules be designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system, protect investors and the public interest, and not permit unfair discrimination between customer, issuers, brokers or dealers.[156]

As a national securities exchange, MX2 will be a trading center whose quotations can be ''automated quotations'' under Rule 600(b)(6).[157] MX2 has designed itself to qualify by being an ''automated trading center'' under Rule 600(b)(7) whose best-priced, displayed quotation will be a ''protected quotation'' under Rules 600(b)(81) and 600(b)(82), and for purposes of Rule 611.[158]

To meet their regulatory responsibilities under Rule 611(a) of Regulation NMS, other trading centers will be required to have sufficient notice of new protected quotations, as well as all necessary information and technical

[137] *See, e.g.,* MEMX Rules 11.6 and 11.8 and Cboe EDGX Rules 11.6 and 11.8. While MX2 Rule 11.10, Interp .02(b), which offers batch cancel functionality, is similar to Cboe EDGX Rule 11.10, Interp .02(b), MX2 uses the term ''batch cancel functionality,'' while Cboe EDGX uses the term ''purge port'' and Cboe EDGX specifies that a user can ''simultaneously cancel all or a subset of its orders in one or more symbols across multiple logical ports,'' while MX2's provision specifies that a user can ''simultaneously cancel all or a subset of its orders in one or more symbols.''

[138] *See* MX2 Form 1, Exhibit E, Section 2(a), and MX2 Rule 11.6(k)(1)(A).

[139] *See id.*

[140] *See* MX2 Rule 11.9(a)(2). The highest-priced order to buy (lowest-priced order to sell) will have priority over all other orders to buy (sell) in all cases. Rule 11.9 describes how orders will be ranked based on time when orders to buy (sell) are entered into the MX2 system at the same price.

[141] 17 CFR 242.611.

[142] *See* MX2 Rules 1.5 (defining ''Protected NBBO'') and 11.10(a)(2).

[143] MX2's Market Session will run from 9:30 a.m. ET to 4:00 p.m. ET, its Pre-Market Session will run from 7:00 a.m. ET to 9:30 a.m. ET, and its Post-Market Session will run from 4:00 p.m. ET to 8:00 p.m. ET. *See* MX2 Rule 1.5.

[144] *See* MX2 Rules 11.8(a)–(c).

[145] 17 CFR 242.610(d).

[146] *See* MX2 Rule 11.10(f). *See also* MX2 Rule 11.6(a) (allowing Users to attach a Cancel Back instruction to immediately cancel an order when, if displayed, it would create a violation of Rule 610(d) of Regulation NMS, 17 CFR 242.610(d)), and MX2 Rules 11.6(j) and 11.8(b)(8) (relating to price sliding functionality to avoid violations of Rule 610(d) of Regulation NMS, 17 CFR 242.610(d)).

[147] *See* MX2 Rule 2.11.

[148] *See id.*

[149] *See* 15 U.S.C. 78f(b)(5). MX2's trading rules, including its rules relating to market makers, order types and instructions, priority, execution, and opening processes, are similar to existing exchanges' trading rules. *See, e.g.,* Chapter XI of the MEMX rulebook and Chapter XI of the Cboe EDGX rulebook.

[150] *See* MX2 Rule 2.11.

[151] *See, e.g.,* Securities Exchange Act Release No. 62716 (Aug. 13, 2010), 75 FR 51295 (Aug. 19, 2010) (order granting exchange registration of BATS Y Exchange, Inc.).

[152] Securities Exchange Act Release No. 44983 (Oct. 25, 2001), 66 FR 55225, 55233 (Nov. 1, 2001) (PCX–00–25) (order approving Archipelago Exchange (''ArcaEx'') as the equities trading facility of PCX Equities, Inc.) (''ArcaEx Order'').

[153] *Id.*

[154] *See, e.g.,* MEMX Rule 2.11 and Cboe EDGX Rule 2.11.

[155] *See* MX2 Rule 2.11. For example, MX2's rule provides that the Exchange shall have procedures and controls to adequately restrict the flow of confidential and proprietary information between the Exchange and its facilities, including MEMX ES. *See* MX2 Rule 2.11(a)(5).

[156] *See* 15 U.S.C. 78f(b)(5).

[157] *See* MX2 Rule 11.10(b).

[158] *See* 17 CFR 242.600(b)(81)–(82) and 17 CFR 242.611.

specifications.[159] It would be a reasonable policy and procedure under Rule 611(a) to require that industry participants begin treating MX2's best bid and best offer as a protected quotation as soon as possible but no later than 90 days after the date of this order, or such later date as MX2 begins operation as a national securities exchange. The Commission has taken the same position with other new equities exchanges.[160]

D. Discipline and Oversight of Members

As stated above, one prerequisite for the Commission's grant of an exchange's application for registration is that a proposed exchange must be so organized and have the capacity to be able to carry out the purposes of the Act.[161] Specifically, an exchange must be able to enforce compliance by its members and persons associated with its members with the federal securities laws and rules thereunder and the rules of the exchange.[162] As also stated above, pursuant to an RSA with FINRA, FINRA will perform many of the initial disciplinary processes on behalf of MX2.[163] For example, FINRA will investigate potential securities laws violations, issue complaints, and conduct hearings pursuant to MX2 rules. Appeals from disciplinary decisions will be heard by the MX2 Appeals Committee,[164] and the MX2 Appeals Committee's decision shall be final.[165] In addition, the Exchange Board on its own initiative may order review of a disciplinary decision.[166]

The MX2 LLC Agreement and MX2 rules provide that the Exchange has disciplinary jurisdiction over its members so that it can enforce its members' compliance with its rules and the federal securities laws and rules.[167] The Exchange's rules also permit MX2 to sanction members for violations of its rules and violations of the federal securities laws and rules by, among other things, expelling or suspending members, limiting members' activities, functions, or operations, fining or censuring members, or suspending or barring a person from being associated with a member, or any other fitting sanction.[168] MX2's rules also provide for the imposition of fines for certain minor rule violations in lieu of commencing disciplinary proceedings.[169] Accordingly, as a condition to the operation of MX2, a Minor Rule Violation Plan (''MRVP'') filed by MX2 under Act Rule 19d–1(c)(2) must be declared effective by the Commission.[170]

The Commission finds that the MX2 LLC Agreement and rules concerning its disciplinary and oversight programs are consistent with the requirements of Sections 6(b)(6) and 6(b)(7) of the Act [171] in that they provide fair procedures for the disciplining of members and persons associated with members. The Commission further finds that the rules of MX2 provide it with the ability to comply, and with the ability to enforce compliance by its members and persons associated with its members, with the provisions of the Act, the rules and regulations thereunder, and the rules of MX2.[172]

E. Trading on MX2 Pursuant to Unlisted Trading Privileges

MX2 does not intend to be a primary listing market for securities. Accordingly, MX2 has not proposed rules that would allow it to primarily list any securities at this time. Instead, MX2 has proposed to trade securities pursuant to unlisted trading privileges (''UTP''). MX2 Rule 14.1 establishes the Exchange's authority to trade securities on a UTP basis. MX2 Rule 14.1(a) provides that MX2 may extend UTP to any security that is an NMS stock that is listed on another national securities exchange or with respect to which UTP may otherwise be extended in accordance with Section 12(f) of the Act.[173] MX2 Rule 14.1(a) further provides that any such security would be subject to all MX2 rules applicable to trading on MX2, unless otherwise noted.

MX2 Rule 14.1(b) establishes additional rules for trading of UTP Exchange Traded Products, which are defined in MX2 Rule 1.1. MX2 Rule 14.1(b) provides that MX2 will distribute an information circular prior to the commencement of trading in a UTP Exchange Traded Product that generally would include the same information as the information circular provided by the listing exchange, including (a) the special risks of trading the Exchange Traded Product, (b) the Exchange's rules that would apply to the Exchange Traded Product and (c) information about the dissemination of value of the underlying assets or indices. MX2 Rule 14.1(b)(2) establishes certain requirements for members that have customers that trade UTP Exchange Traded Products.[174] MX2 Rule 14.1(b)(4) also establishes certain requirements for any member registered as a market maker in a UTP Exchange Traded Product that derives its value from one or more currencies, commodities, or derivatives based on one or more currencies or commodities, or is based on a basket or index composed of currencies or commodities. MX2 Rule 14.1(b)(5) provides that the Exchange will enter into comprehensive surveillance sharing agreements with markets that trade components of the index or portfolio on which the UTP Exchange Traded Product is based to the same extent as the listing exchange's rules require the listing exchange to enter into comprehensive surveillance sharing agreements with such markets.

The Commission finds that the Exchange's proposed approach to the trading of securities on a UTP basis, as set forth in MX2 Rule 14.1, is consistent with Section 12(f) of the Act and Rule 12f–5 thereunder.[175] Rule 12f–5 under the Act requires an exchange that extends unlisted trading privileges to securities to have in effect a rule or rules providing for transactions in the class or type of security to which the exchange extends unlisted trading privileges.[176] MX2 Rule 14.1 includes a provision that any security traded UTP on the Exchange ''shall be subject to all Exchange rules applicable to trading on the Exchange, unless otherwise noted.'' The provisions in MX2 Rule 14.1 are

[159] *See* Securities Exchange Act Release No. 53829 (May 18, 2006), 71 FR 30038, 30041 (May 24, 2006) (File No. S7–10–04) (extending the compliance dates for Rule 610 and Rule 611 of Regulation NMS under the Act).

[160] *See, e.g.,* MEMX Order, *supra* note 16, at 27461; BATS Order, *supra* note 38, at 49505; and DirectEdge Exchanges Order, *supra* note 63, at 13163.

[161] *See* 15 U.S.C. 78f(b)(1).

[162] *See id.*

[163] *See supra* notes 111–112 and accompanying text. *See also* MX2 Rule 9.8 (stating that MX2 and FINRA are parties to a regulatory contract, pursuant to which FINRA will perform certain functions described in Chapter 9 on behalf of MX2).

[164] *See* MX2 Rule 8.10(b).

[165] *See id.*

[166] *See* MX2 Rule 8.10(c).

[167] *See generally* MX2 LLC Agreement, Article XVII and MX2 Rules Chapters 7 and 8.

[168] *See* MX2 Rule 8.1(a).

[169] *See* MX2 Rule 8.15.

[170] 17 CFR 240.19d–1(c)(2).

[171] 15 U.S.C. 78f(b)(6) and (b)(7).

[172] *See* 15 U.S.C. 78f(b)(1).

[173] 15 U.S.C. 78*l*(f).

[174] MX2 Rule 14.1(b)(2)(A) states that MX2 Rule 14.1(b)(2) applies to UTP Exchange Traded Products that are the subject of an order by the Commission exempting the series from certain prospectus delivery requirements under Section 24(d) of the 1940 Act, and are not otherwise subject to prospectus delivery requirements under the Securities Act. MX2 Rule 14.1(b)(2)(B) requires members to provide a written description of the terms and characteristics of UTP Exchange Traded Products to purchasers of such securities, not later than the time of confirmation of the first transaction, and with any sales materials relating to UTP Exchange Traded Products. MX2 Rule 14.1(b)(2)(C) requires members to provide a prospectus to a customer requesting a prospectus.

[175] 15 U.S.C. 78*l*(f); 17 CFR 240.12f–5.

[176] *See* 17 CFR 240.12f–5. *See also* Securities Exchange Act Release No. 35737 (Apr. 21, 1995), 60 FR 20891 (Apr. 28, 1995) (File No. S7–4–95) (adopting Rule 12f–5 under the Act).

substantively the same as the existing rules of NYSE National, Inc.[177] Accordingly, pursuant to Section 12(f) of the Act and Rule 12f–5 thereunder, MX2 will be permitted to extend unlisted trading privileges to securities of the same class, subject to the trading rules of the Exchange.

F. Section 11(a) of the Act

Section 11(a)(1) of the Act[178] prohibits a member of a national securities exchange from effecting transactions on that exchange for its own account, the account of an associated person, or an account over which it or its associated person exercises investment discretion (collectively, ''covered accounts''), unless an exception applies. Rule 11a2–2(T) under the Act,[179] known as the ''effect versus execute'' rule, provides exchange members with an exemption from the Section 11(a)(1) prohibition. Rule 11a2–2(T) permits an exchange member, subject to certain conditions, to effect transactions for covered accounts by arranging for an unaffiliated member to execute transactions on the exchange. To comply with Rule 11a2–2(T)'s conditions, a member: (i) must transmit the order from off the exchange floor; (ii) may not participate in the execution of the transaction once it has been transmitted to the member performing the execution; [180] (iii) may not be affiliated with the executing member; and (iv) with respect to an account over which the member or an associated person has investment discretion, neither the member nor its associated person may retain any compensation in connection with effecting the transaction except as provided in the rule.

In a letter to the Commission, MX2 requested that the Commission concur with MX2's conclusion that MX2 members that enter orders into the MX2 trading system satisfy the conditions of Rule 11a2–2(T).[181] For the reasons set forth below, MX2 members entering orders into the MX2 trading system could satisfy the conditions of Rule 11a2–2(T).

First, Rule 11a2–2(T) requires that orders for covered accounts be transmitted from off the exchange floor. In the context of automated trading systems, the Commission has found that the off-floor transmission condition is met if a covered account order is transmitted from a remote location directly to an exchange's floor by electronic means.[182] MX2 has represented that MX2 does not have a physical trading floor, and the MX2 trading system will receive orders from members electronically through remote terminals or computer-to-computer interfaces.[183] The MX2 trading system satisfies this off-floor transmission condition.

Second, Rule 11a2–2(T) requires that the member and any associated person not participate in the execution of its order after the order has been transmitted. MX2 represented that at no time following the submission of an order is a member or an associated person of the member able to acquire control or influence over the result or timing of the order's execution.[184] According to MX2, the execution of a member's order is determined solely by what quotes and orders are present in the system at the time the member submits the order, and the order priority based on the MX2 rules.[185] Accordingly, a MX2 member and its associated persons do not participate in the execution of an order submitted to the MX2 trading system.[186]

Third, Rule 11a2–2(T) requires that the order be executed by an exchange member who is unaffiliated with the member initiating the order. The Commission has stated that this condition is satisfied when automated exchange facilities, such as the MX2 trading system, are used, as long as the design of these systems ensures that members do not possess any special or unique trading advantages in handling their orders after transmitting them to the exchange.[187] MX2 has represented that the design of the MX2 trading system ensures that no member has any special or unique trading advantage in the handling of its orders after transmitting its orders to MX2.[188] Based on MX2's representation, the MX2 trading system satisfies this condition.

Fourth, in the case of a transaction effected for an account with respect to which the initiating member or an associated person thereof exercises investment discretion, neither the initiating member nor any associated person thereof may retain any compensation in connection with effecting the transaction, unless the person authorized to transact business for the account has expressly provided otherwise by written contract referring to Section 11(a) of the Act and Rule 11a2–2(T) thereunder.[189] MX2 members trading for covered accounts over which they exercise investment discretion

[177] *See* NYSE National Rule 5.1.

[178] 15 U.S.C. 78k(a)(1).

[179] 17 CFR 240.11a2–2(T).

[180] This prohibition also applies to associated persons. *See* 15 U.S.C. 78f(b)(8). The member may, however, participate in clearing and settling the transaction. *See* Securities Exchange Act Release No. 14563 (Mar. 14, 1978), 43 FR 11542 (Mar. 17, 1978) (regarding the NYSE's Designated Order Turnaround System) (''1978 Release'')).

[181] *See* Letter from Anders Franzon, General Counsel, MX2, dated Mar. 4, 2025 (''MX2 11(a) Letter'').

[182] *See, e.g.,* Nasdaq Order, *supra* note 38; ArcaEx Order, *supra* note 152; Securities Exchange Act Release Nos. 61419 (Jan. 26, 2010), 75 FR 5157 (Feb. 1, 2010) (SR–BATS–2009–031) (approving BATS options trading); 59154 (Dec. 23, 2008), 73 FR 80468 (Dec. 31, 2008) (SR–BSE–2008–48) (approving equity securities listing and trading on BSE); 57478 (Mar. 12, 2008), 73 FR 14521 (Mar. 18, 2008) (SR–NASDAQ–2007–004 and SR–NASDAQ–2007–080) (approving Nasdaq Options Market options trading); 29237 (May 24, 1991), 56 FR 24853 (May 31, 1991) (SR–NYSE–90–52 and SR–NYSE–90–53) (approving NYSE's Off-Hours Trading Facility); and 15533 (Jan. 29, 1979), 44 FR 6084 (Jan. 31, 1979) (''1979 Release'').

[183] *See* MX2 11(a) Letter, *supra* note 181.

[184] *See id.* MX2 states that a member may cancel or modify the order, or modify the instructions for executing the order, after the order has been transmitted, provided that such cancellations or modifications are transmitted from off an exchange floor. *See id.* The Commission has stated that the non-participation condition is satisfied under such circumstances so long as such modifications or cancellations are also transmitted from off the floor. *See* 1978 Release, *supra* note 180 (stating that the ''non-participation requirement does not prevent initiating members from canceling or modifying orders (or the instructions pursuant to which the initiating member wishes orders to be executed) after the orders have been transmitted to the executing member, provided that any such instructions are also transmitted from off the floor'').

[185] *See* MX2 11(a) Letter, *supra* note 181.

[186] *See, e.g.,* BATS Order, *supra* note 38, at 49505; and DirectEdge Exchanges Order, *supra* note 63, at 13164.

[187] *See, e.g.,* BATS Order at 49505, *supra* note 38, at 49505; and DirectEdge Exchanges Order, *supra* note 63, at 13164. In considering the operation of automated execution systems operated by an exchange, the Commission stated that, while there is not an independent executing exchange member, the execution of an order is automatic once it has been transmitted into the system. Because the design of these systems ensures that members do not possess any special or unique trading advantages in handling their orders after transmitting them to the exchange, the Commission has stated that executions obtained through these systems satisfy the independent execution condition of Rule 11a2–2(T). *See* 1979 Release, *supra* note 182.

[188] *See* MX2 11(a) Letter, *supra* note 181.

[189] *See, e.g.,* BATS Order, *supra* note 38, at 49505; and DirectEdge Exchanges Order, *supra* note 63, at 13164. In addition, Rule 11a2–2(T)(d) requires a member or associated person authorized by written contract to retain compensation, in connection with effecting transactions for covered accounts over which such member or associated persons thereof exercises investment discretion, to furnish at least annually to the person authorized to transact business for the account a statement setting forth the total amount of compensation retained by the member or any associated person thereof in connection with effecting transactions for the account during the period covered by the statement. *See* 17 CFR 240.11a2–2(T)(d). *See also* 1978 Release, *supra* note 180 (stating ''[t]he contractual and disclosure requirements are designed to assure that accounts electing to permit transaction-related compensation do so only after deciding that such arrangements are suitable to their interests'').

must comply with this condition in order to rely on the rule's exemption.[190]

G. Exemption From Section 19(b) of the Act With Regard to FINRA Rules Incorporated by Reference

MX2 proposes to incorporate by reference certain FINRA rules and MEMX rules as MX2 rules.[191] Thus, for those MX2 rules, Exchange members will comply with the MX2 rule by complying with the FINRA rule or MEMX rule referenced therein. In connection with its proposal to incorporate FINRA rules and MEMX rules by reference, MX2 requested, pursuant to Rule 240.0–12,[192] an exemption under Section 36 of the Act from the rule filing requirements of Section 19(b) of the Act for changes to those MX2 rules that are effected solely by virtue of a change to a cross-referenced FINRA or MEMX rule.[193] MX2 represents in its letter that, as a condition to the exemption, it will provide written notice to its members whenever a proposed rule change to a FINRA rule or MEMX rule that is incorporated by reference is proposed and whenever any such proposed change is approved by the Commission or otherwise becomes effective.[194]

Using its authority under Section 36 of the Act,[195] the Commission is hereby granting MX2's request for an exemption, pursuant to Section 36 of the Act, from the rule filing requirements of Section 19(b) of the Act with respect to the rules that MX2 proposes to incorporate by reference.[196] This exemption is conditioned upon MX2 providing written notice to its members whenever FINRA or MEMX proposes to change a rule that MX2 has incorporated by reference. This exemption is appropriate in the public interest and consistent with the protection of investors because it will promote more efficient use of Commission and SRO resources by avoiding duplicative rule filings based on simultaneous changes to identical rules of more than one SRO.

H. Conclusion

It is ordered that the application of MX2 for registration as a national securities exchange be, and it hereby is, granted.

It is furthered ordered that operation of MX2 is conditioned on the satisfaction of the requirements below:

A. *Participation in National Market System Plans.* MX2 must join the CT Plan, the Consolidated Tape Association Plan, the Consolidated Quotation Plan, and the Nasdaq UTP Plan (or any successors thereto); the National Market System Plan Establishing Procedures Under Rule 605 of Regulation NMS; the Regulation NMS Plan to Address Extraordinary Market Volatility; the Plan for the Selection and Reservation of Securities Symbols; and the National Market System Plan Governing the Consolidated Audit Trail.

B. *Intermarket Surveillance Group.* MX2 must join the Intermarket Surveillance Group.

C. *Minor Rule Violation Plan.* A MRVP filed by MX2 under Rule 19d–1(c)(2) must be declared effective by the Commission.[197]

D. *Rule 17d–2 Agreement.* An agreement pursuant to Rule 17d–2 [198] that allocates regulatory responsibility for those matters specified above [199] must be declared effective by the Commission, or MX2 must demonstrate that it independently has the ability to fulfill all of its regulatory obligations.

E. *Participation in Multi-Party Rule 17d–2 Plans.* MX2 must become a party to the multi-party Rule 17d–2 agreement concerning the surveillance, investigation, and enforcement of common insider trading rules and the agreement concerning certain Regulation NMS and Consolidated Audit Trail rules.

F. *RSA.* MX2 must finalize the provisions of the RSA with its regulatory services provider, as described above, that will specify the MX2 and Commission rules for which the regulatory services provider will provide certain regulatory functions, or MX2 must demonstrate that it independently has the ability to fulfill all of its regulatory obligations.

It is further ordered, pursuant to Section 36 of the Act,[200] that MX2 shall be exempted from the rule filing requirements of Section 19(b) of the Act with respect to the FINRA rules and MEMX rules that MX2 proposes to incorporate by reference into MX2's rules, subject to the conditions specified in this Order.

By the Commission.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04412 Filed 3–17–25; 8:45 am]

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[190] MX2 represented that it will advise its membership through the issuance of an Information Circular that those members trading for covered accounts over which they exercise investment discretion must comply with this condition in order to rely on the rule's exemption. *See* MX2 11(a) Letter, *supra* note 181.

[191] *See* Letter from Anders Franzon, General Counsel, MX2, dated Mar. 4, 2025 (''Exemption Request Letter''). MX2 proposes to incorporate by reference the definition of ''Retail Order'' in FINRA Rule 5320.03, via MX2 Rule 11.21(a)(2). In addition, MX2 proposes to incorporate by reference the following MEMX rules: MEMX Chapter 3 (''Rules of Fair Practice'') via MX2 Chapter 3; MEMX Chapter 4 (''Books and Records'') via MX2 Chapter 4; MEMX Chapter 5 (''Supervision'') via MX2 Chapter 5; MEMX Chapter 6 (''Extensions of Credit'') via MX2 Chapter 6; MEMX Chapter 7 (''Suspension by Chief Regulatory Officer'') via MX2 Chapter 7; MEMX Chapter 8 (''Discipline'') via MX2 Chapter 8; MEMX Chapter 9 (''Arbitration'') via MX2 Chapter 9; MEMX Chapter 10 (''Adverse Action'') via MX2 Chapter 10; MEMX Chapter 12 (''Trading Practice Rules'') via MX2 Chapter 12; MEMX Chapter 13 (''Miscellaneous Provisions'') via MX2 Chapter 13; and MEMX Chapter 14 (''Trading on an Unlisted Trading Privileges Basis'') via MX2 Chapter 14.

[192] *See* 17 CFR 240.0–12.

[193] *See* Exemption Request Letter, *supra* note 191.

[194] *See* Exemption Request Letter, *supra* note 191. MX2 will provide such notice through a posting on the same website location where MX2 posts its own rule filings pursuant to Rule 19b–4 under the Act, within the required time frame. The website posting will include a link to the location on the FINRA website or MEMX website where FINRA's or MEMX's proposed rule change is posted. *See id.*

[195] 15 U.S.C. 78mm.

[196] The Commission previously exempted other exchanges from the requirement to file proposed rule changes under Section 19(b) of the Act. *See, e.g.,* MEMX Order, *supra* note 16; IEX Order, *supra* note 50; ISE Mercury Order, *supra* note 52; MIAX Order, MIAX Pearl Order, and BATS Order, *supra* note 38; DirectEdge Exchanges Order, *supra* note 63.

[197] 17 CFR 240.19d–1(c)(2).

[198] 17 CFR 240.17d–2.

[199] *See supra* notes 123–124 and accompanying text.

[200] 15 U.S.C. 78mm.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102645; File No. SR–CboeBZX–2025–035]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend the Invesco Galaxy Bitcoin ETF and the Invesco Galaxy Ethereum ETF in Order To Permit In-Kind Creations and Redemptions

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the Invesco Galaxy Bitcoin ETF (the ''Bitcoin Trust'') and the Invesco Galaxy Ethereum ETF (the ''ETH Trust'' and, collectively with the Bitcoin Trust, the ''Trusts''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[3] The Commission also approved the listing and trading of shares (the ''ETH ETP Shares'') of the ETH Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[4] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust and the ETH ETP Shares are issued by the ETH Trust. The Bitcoin Trust was formed as a Delaware statutory trust on December 17, 2020 and the ETH Trust was formed as a Delaware statutory trust on September 27, 2023.

Bitcoin Trust

The Exchange proposes to amend several portions of the Exchange's previous rule filing to list and trade Bitcoin ETP Amendment No. 2 in order to permit in-kind creations and redemptions.

Representations

Bitcoin ETP Amendment No. 2 included specific representations making clear that the Bitcoin Trust would only process creations and redemptions in cash. Specifically, the ''Invesco Galaxy Bitcoin ETF'' section of the Bitcoin Amendment No. 2 stated the following:

When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian (which will then be used to purchase bitcoin for the Trust) in exchange for Shares when they purchase Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. A third party will use cash to buy and deliver bitcoin to create Shares or withdraw and sell bitcoin for cash to redeem Shares, on behalf of the Trust.[5]

The Exchange proposes to replace the above with the following:

When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). For cash creations and redemptions, authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. For in-kind creation and redemptions, authorized participants will deliver, or facilitate delivery of, bitcoin to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver bitcoin to such authorized participants when they redeem Shares with the Trust.

The ''Investment Objective'' section of Bitcoin ETP Amendment No. 2 stated: ''The Trust will process all creations and redemptions in cash transactions with authorized participants. The Trust is not actively managed.'' [6] The Exchange proposes to replace this sentence with the following: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants.''

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[7] The Exchange proposes to replace this section as follows:

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. In connection with cash creations and cash redemptions, the authorized participants will submit orders to create or redeem Baskets of Shares in exchange for cash. When the Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 5,000 Shares that are based on the quantity of bitcoin attributable to each Share of the Trust (*e.g.,* a Creation Basket) at the Trust's NAV. When the Trust creates or redeems its Shares in kind, it will do so in transfers of bitcoin in blocks of 5,000 Shares that are based on the quantity of bitcoin attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver or cause to be delivered cash or bitcoin to create

[3] *See* Securities Exchange Act Release Nos. 99283 (January 8, 2024) 89 FR 2263 (January 12, 2024) (SR–CboeBZX–2023–038) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change To List and Trade Shares of the Invesco Galaxy Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (the ''Bitcoin ETP Amendment No. 2); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–038) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order'').

[4] *See* Securities Exchange Act Release Nos. 100219 (May 22, 2024) 89 FR 46543 (May 29, 2024) (SR–CboeBZX–2023–087) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the Invesco Galaxy Ethereum ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (the ''Eth ETP Amendment No. 1); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–038) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order'').

[5] *See* Bitcoin ETP Amendment No. 2 at 2272.

[6] *See* Bitcoin ETP Amendment No. 2 at 2273.

[7] *See* Bitcoin ETP Amendment No. 2 at 2274.

Shares and the authorized participant will receive cash or bitcoin when redeeming Shares. The Trust will create Shares by receiving bitcoin or cash from an authorized participant and will redeem shares by delivering bitcoin or cash to an authorized participant.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash creations must be placed by 2:30 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind creations must be placed by 4:00 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is an amount of cash sufficient to purchase such amount of bitcoin, the amount of which is equal to the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received. The Administrator determines the required deposit for a given day by multiplying the NAV per share by the number of Shares in each Creation Basket (5,000) and dividing the product by that day's bitcoin price as determined by the Index.

For a creation order in kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received. The Administrator determines the quantity of bitcoin used to calculate the Creation Basket for a given day by dividing the number of bitcoin held by the Trust as of the opening of business on that business day, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash creation order, an authorized participant will deliver cash to create Shares. For an in-kind creation order, an authorized participant will deliver bitcoin to create Shares. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant will receive bitcoin for the Shares delivered.

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2 and the Trust will continue to comply with the requirements of Rule 14.11(e)(4).

Eth Trust

Similarly, the Exchange proposes to amend several portions of the Eth ETP Amendment No. 1 in order to permit in-kind creations and redemptions.

Representations

The Eth ETP Amendment No. 1 included a specific representation making clear that the Eth Trust would only process creations and redemptions in cash. Specifically, the ''Invesco Galaxy Ethereum Trust'' section of the Eth ETP Amendment No. 1 stated:

When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they purchase Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust.[8]

The Exchange proposes to replace this language with the following:

When the Trust creates or redeems its Shares in cash transactions, it will do so in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). For cash creations or redemptions, Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. When the Trust creates or redeems its Shares in-kind, it will do so in Creation Units in exchange for ether. Authorized participants will deliver, or facilitate delivery of, ether to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver ether to such authorized participants when they redeem Shares with the Trust.

Additionally, the ''Investment Objective'' section of the Eth ETP Amendment No. 1 stated: ''The Trust will process all creations and redemptions in cash transactions with authorized participants.'' [9] The Exchange proposes to replace this language with the following: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants.''

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[10] The Exchange proposes to replace this section as follows:

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 5,000 Shares that are based on the quantity of ETH attributable to each Share of the Trust (*e.g.,* a Creation Basket) at the Trust's NAV. When the Trust creates or redeems its Shares in-kind, it will do so in transfers of ether in blocks of 5,000 Shares that are based on the quantity of ether attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver or cause to be delivered cash or ether to create Shares and the authorized participant or its designee will receive cash or ether when redeeming Shares. The Trust will create Shares by receiving ether or cash from an authorized participant or its designee and will redeem Shares by delivering ether or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash creations must be placed by 2:30 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind creations must be placed by 4:00 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 ET on the date the order to purchase is properly received. The Administrator determines the required deposit for a given day by multiplying the NAV per share by the number of Shares in each Creation Basket (5,000) and dividing the product by that day's bitcoin price as determined by the Index.

For a creation order in-kind, the total in-kind transfer of ETH is equal to the combined NAV of the number of Shares included in the Creation Baskets being created determined as promptly as practicable after 4:00 p.m. ET on the date the order to purchase is properly received. The Administrator determines the quantity of ETH associated with a Creation Basket for a given day by dividing the number of ETH held by the Trust as of the opening of business on that business day, adjusted for the amount of ETH constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of

[8] *See* Eth ETP Amendment No. 1 at 46550.

[9] *Id.*

[10] *See* Eth ETP Amendment No. 2 at 46471.

business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash creation order, an authorized participant will deliver cash to create Shares. For an in-kind creation order, an authorized participant will deliver ether to create Shares. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and will receive ether for the Shares delivered.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2 and ETH ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2 and the ETH Trust will continue to comply with the terms of ETH ETP Amendment No. 1 and the Trusts will continue to comply with the requirements of Rule 14.11(e)(4).

Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[11] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[12] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in both the Bitcoin ETP Amendment No. 2 and the ETH ETP Amendment No. 1 such that the Trusts would both be able to engage in in-kind transactions with authorized participants, as described above. This ability would make the Trusts (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin or ether, as applicable, rather than to provide cash to the applicable Trust and/or to receive bitcoin or ether directly from the Trusts. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset rather than the Trust itself, which would potentially lessen the impact on the market of the Trusts on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset for redemptions. This would improve the creation and redemption process for both authorized participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

Except for the addition of in-kind creation and redemption for the Bitcoin Trust, all other representations made in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements for the Bitcoin Trust. Similarly, except for the addition of in-kind creation and redemption for the ETH Trust, all other representations made in the ETH ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the ETH Trust.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trusts to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR-CboeBZX–2025–035 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR-CboeBZX–2025–035. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CboeBZX–2025–035 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04332 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102619; File No. SR–NYSENAT–2025–02]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2025, NYSE National, Inc. (''NYSE National'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule to reflect the proposed name change of NYSE Chicago, Inc. to NYSE Texas, Inc.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *www.nyse.com* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NYSENAT-2025-02*.

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(6)[6] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6)[8] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[9] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[10] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. A waiver would enable this proposed rule change to become operative at the same time that a related NYSE Chicago, Inc. rule filing[11] (''NYSE Chicago filing''), which is the filing that changes the name of NYSE Chicago, Inc. to NYSE Texas, Inc., becomes operative. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes simply reflect the name change, consistent with the changes proposed by the NYSE Chicago filing, and a waiver would avoid any potential confusion about the name of the entity in the Connectivity Fee Schedule. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[13] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSENAT-2025-02*) or by sending an email to *rule-comments@sec.gov*. Please include file number SR–NYSENAT–2025–02 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–NYSENAT–2025–02. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-*

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] *See* SR–NYSECHX–2025–01 (filed February 25, 2025).

[12] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[13] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSENAT-2025-02). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSENAT–2025–02 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04340 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102627; File No. SR–CboeEDGX–2025–008]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF

March 12, 2025.

On February 5, 2025, Cboe EDGX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF. On February 6, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 26, 2025.[3] The Commission received no comments regarding the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 12, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 27, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeEDGX–2025–008).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04348 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102637; File No. SR–CBOE–2025–015]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rules 8.16 and 9.2 Related to the Production of an Annual Report From Trading Permit Holders to the Exchange

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2025, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rules 8.16 and 9.2 to conform to requirements of FINRA and NYSE, in relevant part, regarding its supervisory reporting process for Trading Permit Holders (''TPHs'') as detailed more fully in the proposed rule change.[3] The text of the proposed rule change is provided in Exhibit 5.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://www.cboe.com/us/options/regulation/rule_filings/cone/*and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-015.*

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[4] and Rule 19b–4(f)(6)[5] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[6] and Rule 19b–4(f)(6)[7] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[8] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[9] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The

[14] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102461 (Feb. 20, 2025), 90 FR 10745.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* FINRA Rule 3120(a)(2) and NYSE Rule 3120(a)(2).

[4] 15 U.S.C. 78s(b)(3)(A).

[5] 17 CFR 240.19b–4(f)(6).

[6] 15 U.S.C. 78s(b)(3)(A).

[7] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[8] 17 CFR 240.19b–4(f)(6).

[9] 17 CFR 240.19b–4(f)(6)(iii).

Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to amend the supervisory reporting process for TPHs as discussed herein in Rules 8.16 and 9.2 to conform to the requirements of FINRA and NYSE in relevant part, which may simplify the annual supervisory reporting procedures for members of the Exchange that are also participants on NYSE and/or members of FINRA. The Commission does not believe the proposal introduces any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[10]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[11] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-015*) or by sending an email to *rule-comments@sec.gov*. Please include file number SR–CBOE–2025–015 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–CBOE–2025–015. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-015*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2025–015 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04325 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

[10] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[11] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

[12] 17 CFR 200.30–3(a)(12) and (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102622; File No. SR–NASDAQ–2024–084)

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Modify Certain Initial Listing Liquidity Requirements

March 12, 2025

I. Introduction

On December 12, 2024, The Nasdaq Stock Market LLC (''Nasdaq'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to modify Listing Rules 5405 and 5505 to (1) require that a company listing on the Nasdaq Global Market or Nasdaq Capital Market in connection with an initial public offering (''IPO'') satisfy the applicable minimum Market Value of Unrestricted Publicly Held Shares requirement solely from the proceeds of the offering; and (2) make similar changes affecting companies that uplist to Nasdaq Global Market or Nasdaq Capital Market from the U.S. over-the-counter (''OTC'') market in conjunction with a public offering. The proposed rule change was published for comment in the **Federal Register** on December 30, 2024.[3] On February 5, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which superseded the original proposed rule change in its entirety.[4] On February 11, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[5] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[6]

The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, and is approving the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 1[7]

Nasdaq Listing Rules require that a company applying for initial listing on the Exchange must have a minimum Market Value of Unrestricted Publicly Held Shares.[8] For initial listing on the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 101978 (Dec. 19, 2024), 89 FR 106717 (Dec. 30, 2024) (''Notice''). Comments on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2024-084/srnasdaq2024084.htm*.

[4] The full text of Amendment No. 1 is available on the Commission's website at: *https://www.sec.gov/comments/sr-nasdaq-2024-084/srnasdaq2024084-565255-1620762.pdf* (''Amendment No. 1''). Amendment No. 1 makes minor changes to improve the clarity and readability of the proposal and provides that the proposed changes will become operative 30 days after approval by the Commission.

[5] 15 U.S.C. 78s(b)(2).

[6] *See* Securities Exchange Act Release No. 102389 (Feb. 11, 2025), 90 FR 9771 (Feb. 18, 2025) (designating March 30, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[7] All capitalized terms not otherwise defined in this order shall have the meanings set forth in the Nasdaq Listing Rules.

[8] Unrestricted Publicly Held Shares are shares that are not held by an officer, director, or 10% shareholder of the company and which are not subject to resale restrictions of any kind. *See* Nasdaq Listing Rule 5005(a)(46). The Exchange states that, like other liquidity requirements, the Market Value of Unrestricted Publicly Held Shares standard is meant to ensure that there is sufficient liquidity to provide price discovery and support an efficient and orderly market for the company's securities. *See* Notice at 106718.

Nasdaq Global Market, a company must have a minimum Market Value of Unrestricted Publicly Held Shares of $8 million under the Income Standard, $18 million under the Equity Standard, and $20 million under either the Market Value or Total Assets/Total Revenue Standards.[9] For initial listing on the Nasdaq Capital Market, a company must have a minimum Market Value of Unrestricted Publicly Held Shares of $5 million under the Net Income Standard, and $15 million under either the Equity or Market Value of Listed Securities Standards.[10] In addition, to qualify for initial listing on Nasdaq Global Market or Nasdaq Capital Market, a company trading on the OTC market prior to listing must currently satisfy either a minimum daily trading volume on the OTC market of 2,000 shares over the past 30 trading days with trading occurring in at least 50% of those days (the ''ADV Requirement'') or, alternatively, list in connection with a firm commitment underwritten public offering of at least $4 million.[11]

The Exchange states that, in the case of a company listing in conjunction with a public offering, previously issued shares registered for resale (''Resale Shares''), and not held by an officer, director, or 10% shareholder of the company, are counted as Unrestricted Publicly Held Shares in addition to the shares being sold in an offering.[12] The Exchange also states that it has observed that the companies that meet the applicable Market Value of Unrestricted Publicly Held Shares requirement through an IPO by including Resale Shares have experienced higher volatility on the date of listing than those of similarly situated companies that meet the requirement with only the proceeds from the offering.[13] According to the Exchange, the Resale Shares may not contribute to liquidity to the same degree as the shares sold in the public offering.[14] The Exchange states that, as such, it is appropriate to modify the rules to exclude the Resale Shares from the calculation of Market Value of Unrestricted Publicly Held Shares for the initial listing of companies listing in conjunction with an IPO.[15] The Exchange also states that it is appropriate to treat a company that is uplisting from the OTC market while relying on the alternative to the ADV Requirement (*i.e.,* listing in connection with a firm commitment underwritten public offering of a specified size) in a similar manner because the liquidity in such listings is also expected to be supported by the offering.[16]

First, the Exchange proposes to modify Nasdaq Listing Rules 5405(b) and 5505(b) to provide that a company listing in connection with an IPO, including through the issuance of American Depository Receipts, must satisfy the applicable Market Value of Unrestricted Publicly Held Shares requirement for each initial listing standard for primary equity securities [17] with the proceeds of that offering.

Secondly, with respect to a company uplisting from the OTC market, the Exchange proposes to modify the alternative to the ADV Requirement in Nasdaq Listing Rules 5405(a)(4) and 5505(a)(5). As revised, a company relying on this alternative will be required to satisfy the applicable Market Value of Unrestricted Publicly Held Shares requirement with only the proceeds from the offering. As a result, the Exchange also proposes to modify Nasdaq Listing Rules 5405(a)(4) and 5505(a)(5) to increase the size of the required public offering for this alternative to the ADV Requirement from $4 million to $5 million for Nasdaq Capital Market applicants and $8 million for Nasdaq Global Market applicants to align with the minimum Market Value of Unrestricted Publicly Held Shares requirement for each market.[18] If the company qualifies under a standard other than the income standard, the minimum raise instead will have to satisfy the Market Value of Unrestricted Publicly Held Shares requirement of the applicable standard.[19]

The Exchange states that the proposed changes will become operative 30 days after approval by the Commission.[20]

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.[21] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with Section 6(b)(5) of the Exchange Act,[22] which requires, among other things, that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The development and enforcement of meaningful listing standards for an exchange is of critical importance to financial markets and the investing public. Among other things, such listing standards help ensure that exchange-listed companies will have sufficient public float, investor base, and trading interest to provide the depth and liquidity to promote fair and orderly markets.[23] Meaningful listing standards also are important given investor expectations regarding the nature of securities that have achieved an exchange listing, and the role of an exchange in overseeing its market and assuring compliance with its listing standards.[24]

[9] *See* Nasdaq Listing Rules 5405(b)(1)(C), 5405(b)(2)(C), 5405(b)(3)(B), and 5405(b)(4)(B).

[10] *See* Nasdaq Listing Rules 5505(b)(1)(B), 5505(b)(2)(C), and 5505(b)(3)(C).

[11] *See* Nasdaq Listing Rules 5405(a) and 5505(a). The Exchange states that this alternative recognizes that where a company is listing in connection with a significant firm commitment underwritten public offering the liquidity characteristics of its prior trading will change and reflect the offering, just like in an IPO, and shares in the offering will be the primary source of liquidity and price discovery upon listing. *See* Notice at 106718.

[12] *See* Notice at 106718.

[13] *See id.*

[14] *See id.*

[15] *See id.*

[16] *See id.*

[17] *See supra* notes 9 and 10.

[18] *See id.*

[19] Specifically, for a company listing on the Nasdaq Global Market under the Equity Standard or the Market Value or Total Assets/Total Revenue Standards, the required public offering size will be at least $18 million and $20 million, respectively. *See* Nasdaq Listing Rules 5405(b)(2)(C), 5405(b)(3)(B), and 5405(b)(4)(B). Similarly, for a company listing on the Nasdaq Capital Market under the Equity Standard or the Market Value of Listed Securities Standard, the required public offering size will be at least $15 million. *See* Nasdaq Listing Rules 5505(b)(1)(B) and 5505(b)(2)(C).

[20] *See* Amendment No. 1 at 7.

[21] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 15 U.S.C. 78f(b)(5).

[23] Adequate listing standards, by promoting fair and orderly markets, are consistent with Section 6(b)(5) of the Exchange Act, in that they are, among other things, designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, and protect investors and the public interest. *See, e.g.,* Securities Exchange Act Release No. 100816 (Aug. 26, 2024), 89 FR 70674, 70677 n.47 (Aug. 30, 2024) (SR–NASDAQ–2024–019).

[24] *See, e.g.,* Securities Exchange Act Release No. 86314 (July 5, 2019), 84 FR 33102 (July 11, 2019) (SR–NASDAQ–2019–009) (Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 3, To Revise the Exchange's Initial Listing Standards Related to Liquidity). *See also* Securities Exchange Act Release No. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct.

Continued

The Exchange has proposed to make more rigorous certain of its initial listing standards for the Nasdaq Global Market and Nasdaq Capital Market to help assure that an adequate level of liquidity exists for securities that are listing on the Exchange for the first time. Specifically, the Exchange proposes that a company listing in connection with an IPO, including through the issuance of American Depository Receipts, must satisfy the applicable minimum Market Value of Unrestricted Publicly Held Shares requirement with only the proceeds from the offering. The Exchange also proposes that a company uplisting from the OTC market based on the minimum required size of its firm commitment underwritten public offering, rather than the ADV Requirement, must satisfy this requirement with only the proceeds from that offering.

The Exchange's initial listing standards currently do not exclude Resale Shares from the calculation of Market Value of Unrestricted Publicly Held Shares. According to the Exchange, companies that list on the Exchange for the first time through an IPO and meet the applicable Market Value of Unrestricted Publicly Held Shares requirement by relying on Resale Shares experience higher volatility than companies that meet such requirement based on the proceeds of the offering and Resale Shares may not contribute to liquidity of companies' securities to the same extent as shares included in the public offering.[25] The Exchange also states that companies uplisting from the OTC market while relying on the alternative to the ADV Requirement do so with the expectation that liquidity of the companies' securities will be supported by the offering.[26]

The proposed amendments to exclude Resale Shares from the calculation of these initial listing requirements pertaining to the Market Value of Unrestricted Publicly Held Shares and, with respect to a company uplisting from the OTC market, the size of a company's firm commitment underwritten public offering should allow the Exchange to better determine whether a security has adequate liquidity and thus is suitable for listing and trading on the Exchange. Accordingly, the amendments to the Exchange's initial listing standards should help to ensure that the Exchange lists only securities with a sufficient market, with adequate depth and liquidity, and with sufficient investor interest to support an exchange listing.[27]

For these reasons, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Exchange Act.

IV. Solicitation of Comments on Amendment No. 1 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether the proposed rule change, as modified by Amendment No. 1, is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2024–084 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NASDAQ–2024–084. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2024–084, and should be submitted on or before April 8, 2025.

V. Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 1

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 1, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 1 in the **Federal Register**. The changes in Amendment No. 1 provide greater clarity to the proposal. These changes include (1) elaborating on the relevant Market Value of Unrestricted Publicly Held Shares requirements that a company uplisting from the OTC market to the Nasdaq Global Market or Nasdaq Capital Market in connection with a public offering will be subject to; and (2) clarifying, in the example regarding companies that are subject to higher initial listing standards than companies impacted by the proposed change, that the example refers to a Direct Listing in which a company's security has not had sustained recent trading in a Private Placement Market prior to listing.[28] This clarification and additional information assists the Commission in evaluating the proposal and determining that the proposal is consistent with the Act. Further, Amendment No. 1 does not modify the operation or meaning of the proposed changes, which were published for comment in the **Federal Register**.[29] Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[30] to approve the proposed rule change, as

17, 2017) (SR–NYSE–2017–31) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Listed Company Manual To Adopt Initial and Continued Listing Standards for Subscription Receipts) (stating that ''[a]dequate standards are especially important given the expectations of investors regarding exchange trading and the imprimatur of listing on a particular market'' and that ''[o]nce a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue . . . so that fair and orderly markets can be maintained'').

[25] *See supra* notes 14–15 and accompanying text.

[26] *See supra* note 18 and accompanying text.

[27] The Commission received one comment letter that was generally supportive of the proposal. *See* Letter from Damon D. Testaverde, Chairman of Network 1 Financial Securities, Inc., dated Jan. 21, 2025 (''Network 1 Letter''). This commenter also recommended additional changes to the Exchange's listing standards and raised other areas of concerns for the Commission's consideration. *See id.* These additional recommendations are not before the Commission in the proposal being considered herein. In approving this proposal, the Commission is finding the proposal before us consistent with the Exchange Act.

[28] *See* Amendment No. 1 at 7, 10.

[29] *See supra* note 3.

[30] 15 U.S.C. 78s(b)(2).

modified by Amendment No. 1, on an accelerated basis.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act,[31] that the proposed rule change (SR–NASDAQ–2024–084), as modified by Amendment No. 1, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04343 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102632; File No. SR–CboeBZX–2025–036]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend the Rule Governing the Listing and Trading of Shares of the Franklin Ethereum ETF To Permit Staking

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the Franklin Ethereum ETF (the ''Fund''), a series of the Franklin Ethereum Trust (the ''Trust''), shares (the ''Shares'') of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit staking of the ether held by the Fund.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Commission approved the Exchange's proposal to list and trade shares (the ''Shares'') of the Fund on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[3] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Shares are issued by the Fund, which is a series of the Trust. The Trust was formed as a Delaware statutory trust on February 8, 2024.

Based on discussions with the Sponsor, the Exchange proposes to amend several portions of the Eth ETP Amendment No. 1 in order to allow the staking of the ether held by the Fund. First, the Exchange proposes to delete the following representation in the Eth ETP Amendment No. 1 that provides that the Fund will not engage in staking: [4]

> Neither the Trust or the Fund, nor the Sponsor, nor the Custodian, nor any other person associated with the Trust or Fund will, directly or indirectly, engage in action where any portion of the Fund's ETH becomes subject to the Ethereum proof-of-stake validation or is used to earn additional ETH or generate income or other earnings.

The Exchange also proposes to add the following ''Staking'' section following the ''The Custodian'' section [5] of the Eth ETP Amendment No. 1:

> **Staking**
>
> The Sponsor may, from time to time, stake a portion of the Fund's ether on behalf of the Fund through one or more trusted staking providers, which may include the Custodian, an affiliate of the Custodian or an affiliate of the Sponsor (''Staking Providers''). In consideration for any staking activity in which the Fund may engage, the Fund would receive certain staking rewards of ether tokens, which may be treated as income to the Fund.
>
> *The Staking Process*
>
> In the second half of 2020, the Ethereum network began the first of several stages of an upgrade culminating in a transition referred to as the ''Merge.'' The Merge amended the Ethereum network's consensus mechanism to a process known as proof-of-stake. Proof-of-stake was intended to address the perceived shortcomings of the proof-of-work consensus mechanism in terms of labor intensity and duplicative computational effort expended by validators (known under proof-of-work as ''miners''). In a proof-of-work consensus mechanism, miners effectively compete to be the first in time to solve the cryptographic puzzle that would allow them to be the only validator permitted to validate the block and thus be the only ones to receive the resulting block reward. Miners who are not first in time (and thus are not permitted to be validators) will have effectively expended significant labor and computing power for no gain. In a proof-of-stake mechanism, by contrast, a single validator is randomly selected to solve the cryptographic puzzle needed to validate a block, which it proposes to a committee of other validators, who vote for whether to include the block (or not). This proof-of-stake system reduces the computational work performed—and energy expended—to validate each block compared to proof-of-work.

[31] 15 U.S.C. 78s(b)(2).

[32] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 100218 (May 22, 2024) 89 FR 46499 (May 29, 2024) (SR–CboeBZX–2024–018) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change Relating To List and Trade Shares of the Franklin Ethereum ETF, a Series of the Franklin Ethereum Trust, Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Eth ETP Amendment No. 1''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2024–018) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''Approval Order'').

[4] *See* Eth ETP Amendment No. 1 at 46505.

[5] *See* Eth ETP Amendment No. 1 at 46506–46507.

Unlike proof-of-work, in which miners expend computational resources to compete to validate transactions and are rewarded coins in proportion to the amount of computational resources expended, in proof-of-stake, validators risk or ''stake'' coins to compete to be randomly selected to validate transactions and are rewarded coins in proportion to the amount of coins staked. Any malicious activity, such as mining multiple blocks, disagreeing with the eventual consensus or otherwise violating protocol rules, results in the forfeiture or ''slashing'' of a portion of the staked coins. Proof-of-stake is viewed as more energy efficient and scalable than proof-of-work.

New ether is created as a result of the staking of ether by validators. Validators are required to stake ether in order to be selected to perform validation activities and then once selected, as a reward, they earn newly created ether. Validation activities include verifying transactions, storing data, and adding to the Ethereum blockchain.

To operate a node on the Ethereum blockchain, a validator must acquire and lock 32 ether by sending a special transaction to the staking contract. This transaction associates the staked ether with a withdrawal address (to unlock the ether and receive any staking rewards) and a validator address (to designate the validator node performing transaction verification).

Staking by the Sponsor on Behalf of the Fund

The Sponsor may, from time to time, stake a portion of the Fund's ether on behalf of the Fund through one or more Staking Providers. The Sponsor expects to maintain sufficient liquidity in the Fund to satisfy redemptions. The ether staked by the Sponsor on behalf of the Fund will consist exclusively of ether owned by the Fund. The Sponsor's staking activities on behalf of the Fund will not constitute ''delegated staking'' and will not form part of a ''staking as a service'' offering.

As further discussed below, the Sponsor believes its activities in relation to staking the ether held by the Fund on behalf of the Fund are materially different from the delegated staking and ''staking as a service'' activities that the SEC has alleged to involve securities offerings in violation of Section 5 of the Securities Act of 1933 (the ''Securities Act'').[6]

First, the Sponsor will only stake the ether held by the Fund. The Sponsor will not seek to pool the ether held by the Fund with ether held by other entities (although such pooling may occur at the level of a Staking Provider). Second, the Sponsor will not advertise itself as providing any staking services generally, or promise any specific level of return from staking, or solicit delegated stakes from entities other than the Fund. Third, the Sponsor has stated that it is staking the Fund's ether solely in order to maximize the Fund's revenue generation opportunities, and to generate returns for the Fund's shareholders. Fourth, the Sponsor will not bear or subsidize the risk of slashing on behalf of the Fund.

Staking by the Sponsor will not result in the ether held by the Fund moving out of the custody of the Custodian. In order to stake the Fund's ether, Sponsor will engage in what is known as ''point-and-click staking.'' Point-and-click staking involves an interface through which an entity can simply initiate staking by pointing and clicking on the ether assets to be staked. This process does not involve the staked ether leaving the wallet in which it is held and accordingly reduces the risk of loss of ether through theft at the node while the asset is staked (although this process will not reduce the risk of loss of the ether through slashing).

Except for the above changes, all other representations in Eth ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Fund will continue to comply with the terms of Eth ETP Amendment No. 1 and the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[7] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[8] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would allow the Fund to stake its ether on behalf of its investors. The Ethereum network allows for staking of its native asset, ether tokens, and permits validators who successfully stake ether to receive rewards in the form of more ether tokens. The net beneficiaries are not only validators, or those on behalf of whom they stake ether, but also the Ethereum blockchain itself which grows and is progressively made more secure through the validation of transactions. Staking permits validators to contribute to the network by staking their tokens to secure the blockchain, facilitating the creation of blocks, and helping process transactions. Validators are compensated for fulfilling this important role through transaction fees and consensus rewards paid by the blockchain itself.

Staking through mechanisms such as ''point-and-click'' staking can also permit the earning of rewards without certain additional risks to the tokens held by the Custodian on behalf of the Fund. As such, not staking the Fund's ether would amount to waiving the Fund's right to free additional ether, an act analogous to an equity ETP refusing dividends from the companies it holds. Allowing the Fund to stake its ether would benefit investors and help the Fund to better track the returns associated with holding ether. This would improve the creation and

[6] *See SEC* v. *Payward Ventures, Inc. and Payward Trading, Ltd.,* (Complaint filed February 9, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-25.pdf.* (In February 2023, the SEC charged and entered into a settlement order with Payward Ventures, Inc. and Payward Trading Ltd., both commonly known as Kraken, regarding Kraken's alleged failure to register the offer and sale of their crypto asset staking-as-a-service program, whereby investors transfer crypto assets to Kraken for staking in exchange for advertised annual investment returns of as much as 21 percent. According to the SEC's complaint, since 2019, Kraken has offered and sold its crypto asset ''staking services'' to the general public, whereby Kraken pools certain crypto assets transferred by investors and stakes them on behalf of those investors. According to the SEC, investors would lock up—or ''stake''—their crypto tokens with Kraken with the goal of being rewarded with new tokens when their staked crypto tokens become part of the process for validating data for the blockchain. The complaint alleged that Kraken touted that its staking investment program offered an easy-to-use platform and benefits that derived from Kraken's efforts on behalf of investors, including Kraken's strategies to obtain regular investment returns and payouts.) *See also SEC* v. *Binance Holdings Limited,* et al., (Complaint filed June 5, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-101.pdf.* (On June 5, 2023, the SEC filed a complaint charging Binance Holdings Ltd. and certain of its affiliates with a variety of securities law violations, including operating a ''staking-as-a-service'' program. The SEC's complaint alleges, among other things, that BAM Trading violated Sections 5(a) and 5(c) of the Securities Act by offering and selling its staking program without a registration statement, and that BAM Trading's Staking Program was promoted ''as a superior and much easier way to obtain staking rewards by, among other things, pooling the crypto assets of a large number of investors.'') *See also SEC* v. *Coinbase, Inc. and Coinbase Global* (Complaint filed June 6, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-102.pdf.* (On June 6, 2023, the SEC filed a complaint against Coinbase, Inc. and Coinbase Global in federal district court in the Southern District of New York, alleging, *inter alia* that Coinbase Inc. violated the Securities Act by failing to register with the SEC the offer and sale of its staking program. The SEC's complaint alleges that through the Coinbase staking program, investors' crypto assets are transferred to and pooled by Coinbase (segregated by asset), and subsequently ''staked'' (or committed) by Coinbase in exchange for rewards, which Coinbase distributes pro rata to investors after paying itself a 25–35% commission. The SEC also alleges that investors understand that Coinbase will expend efforts and leverage its experience and expertise to generate returns.)

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

redemption process for both authorized participants and the Fund, increase efficiency, and ultimately benefit the end investors in the Fund.

Except for the addition of staking of the Fund's ether and the changes discussed herein, all other representations made in Eth ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the Fund.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to benefit investors and allow the Fund to better track the returns associated with holding ether. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2025–036 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2025–036. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–036 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04353 Filed 3–17–25; 8:45 am]

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[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102618; File No. SR–NYSEAMER–2025–09]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change To Amend the Connectivity Fee Schedule

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2025, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule to reflect the proposed name change of NYSE Chicago, Inc. to NYSE Texas, Inc.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *www.nyse.com* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NYSEAMER-2025-09*.

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(6)[6] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6)[8] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[9] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[10] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. A waiver would enable this proposed rule change to become operative at the same time that a related NYSE Chicago, Inc. rule filing[11] (''NYSE Chicago filing''), which is the filing that changes the name of NYSE Chicago, Inc. to NYSE Texas, Inc., becomes operative. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes simply reflect the name change, consistent with the changes proposed by the NYSE Chicago filing, and a waiver would avoid any potential confusion about the name of the entity in the Connectivity Fee Schedule. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[13] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSEAMER-2025-09*) or by sending an email to *rule-comments@sec.gov*. Please include file number SR–NYSEAMER–2025–09 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–NYSEAMER–2025–09. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSEAMER-2025-09*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEAMER–2025–09 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04339 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] *See* SR–NYSECHX–2025–01 (filed February 25, 2025).

[12] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[13] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102630; File No. SR–NYSEARCA–2025–10]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rules Regarding the Position and Exercise Limits for Options on the Grayscale Bitcoin Mini Trust and the Bitwise Bitcoin ETF and To Permit Flexible Exchange Options on the Grayscale Bitcoin Mini Trust and the Bitwise Bitcoin ETF

March 12, 2025.

On February 3, 2025, NYSE Arca, Inc. filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend rules regarding the position and exercise limits for options on the Grayscale Bitcoin Mini Trust and the Bitcoin Bitwise ETF and to permit Flexible Exchange Options on the Grayscale Bitcoin Mini Trust and the Bitwise Bitcoin ETF. On February 14, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as amended, was published for comment in the **Federal Register** on February 24, 2025.[3] The Commission has received no comments on the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102441 (Feb. 18, 2025), 90 FR 10518.

[4] 15 U.S.C. 78s(b)(2).

disapproved. The 45th day after publication of the notice for this proposed rule change is April 10, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 25, 2025 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEARCA–2025–10).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04351 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35495; File No. 812–15617]

Meketa Capital, LLC, et al.

March 12, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order (''Order'') under section 17(d) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by section 17(d) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Meketa Capital, LLC, Meketa Investment Group, Inc., Meketa Infrastructure Fund, Meketa Private Equity Co-Investment Fund, L.P., Primark Advisors LLC, and Primark Meketa Private Equity Investments Fund.

FILING DATES: The application was filed on August 23, 2024, and amended on December 10, 2024 and February 21, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on April 07, 2025, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Michael Bell, Meketa Capital, LLC, at *mbell@primarkcapital.com;* and Chelsea M. Childs, Esq., Ropes & Gray LLP, at *Chelsea.Childs@ropesgray.com.*

FOR FURTHER INFORMATION CONTACT: Matthew Cook, Branch Chief, or Kyle R. Ahlgren, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' second amended and restated application, dated February 21, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04298 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35494; File No. 812–15687]

Ares Core Infrastructure Fund, et al.

March 12, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of an application under Section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from Sections 18(a)(2), 18(c), 18(i), and 61(a) of the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end investment companies that have elected to be regulated as business development companies to issue multiple classes of shares with varying sales loads and asset-based distribution and/or service fees.

APPLICANTS: Ares Capital Management II LLC, Ares Capital Management LLC, Ares Core Infrastructure Fund, and Ares Strategic Income Fund.

FILING DATES: The application was filed on January 8, 2025 and amended on February 28, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below.

Hearing requests should be received by the Commission by 5:30 p.m. on April 7, 2025, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Noah Ehrenpreis, Ares Core Infrastructure Fund, 245 Park Avenue, 44th Floor, New York, NY 10167; Joshua M. Bloomstein, Ares Strategic Income

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

Fund, 245 Park Avenue, 44th Floor, New York, NY 10167; Nicole M. Runyan, Kirkland & Ellis LLP, *nicole.runyan@kirkland.com;* and Monica J. Shilling, Kirkland & Ellis LLP, *monica.shilling@kirkland.com.*

FOR FURTHER INFORMATION CONTACT: Barbara T. Heussler, Senior Counsel, or Thomas Ahmadifar, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' First Amended and Restated Application, dated February 28, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at, *https://www.sec.gov/edgar/searchedgar/companysearch.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04299 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102641; File No. SR–FINRA–2024–021]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend the Codes of Arbitration Procedure To Adopt FINRA Rules 12808 and 13808 (Accelerated Processing) To Accelerate the Processing of Arbitration Proceedings for Parties Who Qualify Based on Their Age or Health Condition

March 12, 2025.

I. Introduction

On December 11, 2024, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change (SR–FINRA–2024–021) to amend the Code of Arbitration Procedure for Customer Disputes (''Customer Code'') and the Code of Arbitration Procedure for Industry Disputes (''Industry Code'') (together, ''Codes'') to add new FINRA Rules 12808 and 13808 (Accelerated Processing). As stated in the Notice, the proposed rule change would accelerate the processing of arbitration proceedings for parties who qualify based on their age or health condition.[3]

The proposed rule change was published for public comment in the **Federal Register** on December 26, 2024.[4] The public comment period closed on January 16, 2025. The Commission received comment letters in response to the Notice.[5] On January 21, 2025, FINRA consented to an extension of the time period in which the Commission must approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change to March 26, 2025.[6] On March 12, 2025, FINRA responded to the comment letters received in response to the Notice.[7]

The Commission is publishing this order pursuant to Section 19(b)(2)(B) of the Exchange Act[8] to institute proceedings to determine whether to approve or disapprove the proposed rule change.

II. Description of the Proposed Rule Change

A. Background

FINRA's Dispute Resolution Services (''DRS'') provides an arbitration forum for disputes between customers, member firms, and associated persons of member firms.[9] FINRA stated that it currently offers a program to expedite arbitration proceedings in its DRS forum for parties who have a serious health condition or are at least 65 years old (''the current program''). FINRA further stated that when an eligible party makes a request to expedite the proceedings under the current program, ''DRS staff will expedite the case-related tasks that they can control, such as completing the arbitrator selection process, scheduling the initial prehearing conference, and serving the final award.''[10] However, the current program does not provide for shortened, rule-based deadlines for parties or provide arbitrators with direction on how quickly the arbitration should be completed. As a result, FINRA stated that cases that qualify for the current program ''close only marginally more quickly than cases that are not in the current program.''[11]

Accordingly, FINRA's proposed rule change would establish rules for accelerated case processing by codifying shortened case-processing deadlines for eligible parties and providing direction to arbitrators regarding how quickly a proceeding should be completed.[12] The proposed rule change would also establish eligibility requirements, based on a party's age or eligible health condition, for parties to request accelerated processing. FINRA stated that by accelerating case processing, the proposed rule change would shorten the length of proceedings subject to the proposed rule change by approximately six months, which would make a meaningful difference for older parties or those suffering from a serious health condition.[13]

B. Proposed Rule Change

1. Requesting Accelerated Case Processing

FINRA's proposed rule change would allow parties to request accelerated processing of a case when initiating an arbitration pursuant to FINRA Rules 12302 and 13302 or filing an answer pursuant to FINRA Rules 12303 and 13303 if they meet one of two eligibility requirements based on their age or health condition.[14] The proposed rule change would also continue to allow parties who do not meet the two eligibility requirements to request that the panel consider other factors, including their age and health, when scheduling hearings and discovery, briefing, and motion deadlines.[15]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Act Release No. 101957 (Dec. 18, 2024), 89 FR 105128 (Dec. 26, 2024) (File No. SR–FINRA–2024–021) (''Notice''), *https://www.govinfo.gov/content/pkg/FR-2024-12-26/pdf/2024-30680.pdf.*

[4] *Id.*

[5] The comment letters are available at *https://www.sec.gov/comments/sr-finra-2024-021/srfinra2024021.htm.*

[6] *See* letter from Kristine Vo, Assistant General Counsel, Office of General Counsel, FINRA, dated January 21, 2025, *https://www.finra.org/sites/default/files/2025-01/FINRA-2024-021-Extension1.pdf.*

[7] *See* letter from Kristine Vo, Assistant General Counsel, Office of General Counsel, FINRA, dated March 12, 2025, *https://www.sec.gov/comments/sr-finra-2024-021/srfinra2024021.htm.*

[8] 15 U.S.C. 78s(b)(2)(B).

[9] *See* FINRA Rules 12101(a) (Applicability of [Customer] Code), 13101(a) (Applicability of [Industry] Code). FINRA also provides a mediation forum that is not the subject of this proposed rule change. *See* FINRA Rule 14101 (Applicability of [Mediation] Code).

[10] *See* Notice at 105128.

[11] *See* Notice at 105128.

[12] *Id.*

[13] *Id.*

[14] Proposed Rules 12808(a) and 13808(a).

[15] *See* Notice at 105128–105129; Proposed Rules 12808(a)(3) and 13808(a)(3).

a. Eligibility Based on Age

Proposed Rules 12808(a)(1)(A) and 13808(a)(1)(A) would allow a party to request accelerated processing of a case when initiating an arbitration or filing an answer if the requesting party is at least 70 years of age at the time of the request.[16]

b. Eligibility Based on Health

Proposed Rules 12808(a)(1)(B) and 13808(a)(1)(B) would allow a party to request accelerated processing of a case when initiating an arbitration or filing an answer if the party making the request certifies, in the manner and form required by the DRS Director, that: (i) the party has received a medical diagnosis and prognosis, and (ii) based on that medical diagnosis and prognosis, the party has a reasonable belief that accelerated processing of the case is necessary to prevent prejudicing the party's interest in the arbitration (''eligible health condition'').[17] Under the proposed rule change, the party would not be required to disclose the details of their medical diagnosis or prognosis with the certification.[18] Additionally, a party's certification made pursuant to proposed Rules 12808(a)(1)(B) and 13808(a)(1)(B) would not alone be sufficient grounds to compel the production of information concerning, or allow questioning at any hearing about, the party's medical condition, diagnosis or prognosis.[19]

c. Requests by Other Parties for Accelerated Processing

Proposed Rules 12808(a)(3) and 13808(a)(3) would allow parties who do not meet the eligibility requirements of proposed Rules 12808(a)(1) and 13808(a)(1), but may benefit from shortened proceedings, to request that the panel consider other factors, including a party's age and health, when scheduling hearings and discovery, briefing, and motions deadlines.[20]

2. Determination of Eligibility

Proposed Rules 12808(b)(1) and 13808(b)(1) would require the Director to determine if a party's request for accelerated processing complies with the requirements of proposed Rules 12808(a)(1) and 13808(a)(1). FINRA stated that the Director would make an objective determination as to whether the requesting party is at least 70 years of age or has submitted the required certification regarding an eligible health condition.[21] FINRA stated that the proposed rule change would not require any assessment by the Director regarding the reasonableness of the requesting party's belief that accelerated processing is necessary.[22]

3. Accelerating the Proceedings

If the Director determines that a request complies with the requirements of proposed Rules 12808(a)(1) and 13808(a)(1), the proposed rule change would accelerate the proceedings in three ways. First, the arbitrator selection process would be accelerated by shortening the deadlines for the Director to send the list of potential arbitrators to the parties.[23] Second, the arbitrators would receive direction on how quickly the arbitration should be completed.[24] Third, certain of the default deadlines that apply to parties under the Code would be shortened.[25]

a. Accelerating the Arbitrator Selection Process

The first way that the proposed rule change would accelerate the proceedings is by requiring that the Director send out the lists of potential arbitrators to the parties more quickly than under the current program. Currently, the Director must send the lists of potential arbitrators to the parties ''within approximately 30 days after the last answer is due,'' regardless of the parties' agreement to extend any answer due date.[26] The proposed rule change would amend the timeframe that the Director must send the list out to all parties in an accelerated proceeding. Specifically, proposed Rules 12808(b)(2)(A) and 13808(b)(2)(A) would require the Director to send the arbitrator lists ''as soon as practicable after the last answer is due, notwithstanding any agreement of the parties to extend any answer due date.'' [27]

b. Guidance to Arbitrators Regarding Completion of the Arbitration

The second way that the proposed rule change would accelerate proceedings is to provide arbitrators with direction as to how quickly the case should be completed. Specifically, under proposed Rules 12808(b)(2)(B) and 13808(b)(2)(B), the panel would be required to endeavor to render an award within 10 months of the date the Director determines that a case is subject to accelerated processing. In addition, proposed Rules 12808(b)(2)(C) and 13808(b)(2)(C) would require the panel to hold a prehearing conference at which it would be required to set discovery, briefing, and motions deadlines, and schedule hearing sessions, that are consistent with rendering an award within 10 months or less. FINRA stated that, to provide the arbitrators with sufficient flexibility to accommodate the particular circumstances of each case, the proposed rule change would ''establish a benchmark but would not mandate that all cases be completed within 10 months.'' [28]

c. Shortening Party Deadlines

Finally, the proposed rule change would accelerate proceedings by shortening the following default deadlines that apply to parties under the Codes:

- *Serving an Answer:* Under the Codes, a respondent must serve the signed and dated Submission Agreement [29] and answer on each party within 45 days of receipt of the statement of claim.[30] In an accelerated proceeding, proposed Rules 12808(b)(2)(D)(i) and 13808(b)(2)(D)(i) would require a respondent to serve the Submission Agreement and answer within 30 days of receipt of the statement of claim.[31]
- *Responding to a Third Party Claim:* Under the Codes, a party responding to a third party claim must serve all other parties with the signed and dated Submission Agreement and answer within 45 days of receipt of the third party claim.[32] In an accelerated proceeding, proposed Rules 12808(b)(2)(D)(ii) and 13808(b)(2)(D)(ii) would require a party responding to a third party claim to serve the Submission Agreement and answer within 30 days of receipt of the third party claim.[33]
- *Completing Arbitrator Lists:* Under the Codes, parties must return the ranked arbitrator lists of each separately

[16] *See* Notice at 105129.

[17] *See* Notice at 105130.

[18] Proposed Rules 12808(a)(1)(B) and 13808(a)(1)(B).

[19] Proposed Rules 12808(a)(2) and 13808(a)(2).

[20] *See* Notice at 105130.

[21] *Id.*

[22] *Id.*

[23] *Id.;* proposed Rules 12808(b)(2)(A) and 13808(b)(2)(A).

[24] *See* Notice at 105131; proposed Rules 12808(b)(2)(B), 12808(b)(2)(C), 13808(b)(2)(B), and 13808(b)(2)(C).

[25] *See* Notice at 105131; proposed Rules 12808(b)(2)(D) and 13808(b)(2)(D).

[26] *See* Notice at 105131; *see also* FINRA Rules 12402(c)(1), 12403(b)(1), and 13403(c)(1).

[27] *See* Notice at 105131.

[28] *See* Notice at 105131.

[29] The FINRA Submission Agreement is a document that parties must sign at the outset of an arbitration in which they agree to submit to arbitration under the Codes. FINRA Rules 12100(dd) and 13100(ee).

[30] *See* Notice at 105131; FINRA Rules 12303 and 13303.

[31] *See* Notice at 105131.

[32] *Id.;* FINRA Rules 12306 and 13306.

[33] *See* Notice at 105131.

represented party to the Director no more than 20 days after the date upon which the Director sends the arbitrator lists to the parties.[34] In an accelerated proceeding, proposed Rules 12808(b)(2)(D)(iii) and 13808(b)(2)(D)(iii) would require parties to return the ranked arbitrator lists to the Director no more than 10 days after the Director sends the arbitrator lists to the parties.[35]

• *Discovery in Customer Cases:* Under the Customer Code, parties in customer cases are required to produce to all other parties documents that are described in the Document Production Lists on FINRA's website,[36] explain why specific documents cannot be produced, or object and file an objection with the Director within 60 days of the date that the answer to the statement of claim or third party claim is due, unless the parties agree otherwise.[37] In an accelerated proceeding, proposed Rule 12808(b)(2)(D)(iv) would require parties in customer cases to respond to the Document Production Lists within 35 days of the date the answer to the statement of claim is due, or, for parties added by amendment or third party claim, within 35 days of the date their answer is due, unless the parties agree otherwise.[38]

• *Other Discovery Requests:* Under the Codes, parties must respond within 60 days from the date a discovery request other than the Document Production Lists is received, unless the parties agree otherwise.[39] In an accelerated proceeding, proposed Rules 12808(b)(2)(D)(v) and 13808(b)(2)(D)(iv) would require the party receiving the discovery request other than the Document Production Lists to respond to the discovery request pursuant to Rule 12507(b)(1) and 13507 within 30 days from the date it was received, unless the parties agree otherwise.[40]

FINRA stated that, based on its experience, FINRA believes these proposed shortened deadlines are reasonable and would not compromise the fairness of the accelerated arbitration proceedings because they would be manageable in most cases. FINRA further stated that arbitrators and parties could extend the proposed deadlines if warranted.[41] For example, there may be some cases in which the complexity of the case, the volume of discovery, or other factors may justify extending these proposed deadlines.[42] In these circumstances, the existing provisions of the Codes would provide the parties and arbitrators with the flexibility to address the unique facts and circumstances of each case.[43] Specifically, FINRA Rules 12207(a) and 13207(a) allow parties to agree to extend or modify any deadline for serving an answer, returning the ranked arbitrator or chairperson lists, responding to motions, or exchanging documents or witness lists.[44] Additionally, FINRA Rules 12207(b) and 13207(b) allow the panel to extend or modify any deadline for serving an answer, responding to motions, exchanging documents or witness lists, or any other deadline set by the panel, either on its own initiative or upon motion of a party.[45] Finally, FINRA Rules 12508(b) and 13508(b) allow the panel to extend the time for a party to object to discovery requests if the party has ''substantial justification for failing to make the objection within the required time.'' [46] While these provisions in the Codes provide the panel and the parties with flexibility to modify the shortened deadlines in the proposed rule change, FINRA expects the extensions to be the exception and not the rule.[47] FINRA stated that if the Commission approves the proposed rule change, it would provide training and guidance to arbitrators on accelerated processing, which would include training on evaluating requests to extend the proposed shortened deadlines.[48]

III. Proceedings To Determine Whether To Approve or Disapprove File No. SR–FINRA–2024–021 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Exchange Act to determine whether the proposed rule change should be approved or disapproved.[49] Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Exchange Act, the Commission is providing notice of the grounds for disapproval under consideration.[50] The Commission is instituting proceedings to allow for additional analysis and input concerning whether the proposed rule change is consistent with the Exchange Act and the rules thereunder.

IV. Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposed rule change. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change is consistent with the Exchange Act and the rules thereunder.

Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[51]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by April 8, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 22, 2025.

Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

• Send an email to *rule-comments@sec.gov*. Please include file number SR–FINRA–2024–021 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–FINRA–2024–021. This file

[34] *See* Notice at 105131; FINRA Rules 12403 and 13404.

[35] *See* Notice at 105131.

[36] *See* FINRA Rule 12506 (Document Production Lists) describes the documents that are presumed to be discoverable in all arbitrations between a customer and a member firm or associated person.

[37] *See* FINRA Rule 12506.

[38] *See* Notice at 105131.

[39] *Id.;* FINRA Rules 12507 and 13507.

[40] *See* Notice at 105131–105132.

[41] *See* Notice at 105132.

[42] *Id.*

[43] *Id.*

[44] *Id.*

[45] *Id.*

[46] *Id.*

[47] *Id.*

[48] *Id.*

[49] 15 U.S.C. 78s(b)(2)(B).

[50] *Id.*

[51] Section 19(b)(2) of the Exchange Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29, 89 Stat. 97 (1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. See Securities Acts Amendments of 1975, Report of the Senate Committee on Banking, Housing and Urban Affairs to Accompany S. 249, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of FINRA. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number SR–FINRA–2024–021 and should be submitted on or before April 8, 2025. If comments are received, any rebuttal comments should be submitted on or before April 22, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[52]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04329 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0058]

Submission for OMB Review; Comment Request; Extension: Form 12b–25—Notification of Late Filing

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

The purpose of Form 12b-25 (17 CFR 249.322) is to provide notice to the Commission and the marketplace that a registrant will be unable to timely file a required periodic or transition report pursuant to the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) or the Investment Company Act of 1940 (15 U.S.C. 80a *et seq.*). If all the filing conditions of the form are satisfied, the registrant is granted an automatic filing extension. The information required is filed on occasion and is mandatory. All information is available to the public for review. There are approximately 2,849 annual Form 12b-25 filings and it takes approximately 2.5 hours per response for a total of 7,123 burden hours.

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.

Written comments are invited on: (a) whether this collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202412-3235-028* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by April 18, 2025.

Dated: March 12, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04355 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102644; File No. SR–GEMX–2025–08]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Pricing Schedule at Options 7, Section 3

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 11, 2025, Nasdaq GEMX, LLC (''GEMX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend GEMX's Pricing Schedule at Options 7, Section 3, ''Regular Order Fees and Rebates'' to (1) remove the Penny Symbol and Non-Penny Symbol Tier 2 Maker Rebates and Taker Fees; (2) increase certain Penny and Non-Penny Symbol Market Maker and Priority Customer Maker Rebates, decrease certain Penny and Non-Penny Symbol Non-Priority Customers Taker Fees and increase the Priority Customer Penny Symbol Taker Fees; (3) increase criteria for Qualifying Tier Thresholds and remove the Tier 2 qualifying criteria; and (4) amend notes 13, 15 and 17.[5]

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the

[52] 17 CFR 200.30–3(a)(12); 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] SR–GEMX–2025–07 was filed on March 3, 2025. On March 11, 2025, SR–GEMX–2025–07 was withdrawn and this rule change was filed.

Exchange's website at *https://listingcenter.nasdaq.com/rulebook/gemx/rulefilings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-GEMX-2025-08.*

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[6] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-GEMX-2025-08)* or by sending an email to *rule-comments@sec.gov.* Please include file number SR–GEMX–2025–08 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–GEMX–2025–08. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-GEMX-2025-08*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–GEMX–2025–08 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04331 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102636; File No. SR–PEARL–2025–07]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the MIAX Pearl Options Fee Schedule To Adopt Fees for Dedicated Cross Connection Access to the Testing Systems Environment

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2025, MIAX PEARL, LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Fee Schedule to establish a fee for market participants that choose to utilize the Exchange's testing systems environment via a dedicated cross connection.[5]

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/pearl-options/rule-filings* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PEARL-2025-07.*

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[6] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PEARL-2025-07*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2025–07 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–PEARL–2025–07. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-PEARL-2025-07*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–PEARL–2025–07 and should be submitted on or before April 8, 2025.

[6] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] All references to the ''Exchange'' or ''MIAX Pearl'' in this filing refer to MIAX Pearl Options. Any references to the equities trading facility of MIAX PEARL, LLC will specifically be referred to as ''MIAX Pearl Equities.''

[6] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04324 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102639; File No. SR–CboeBZX–2025–037]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend the Rule Governing the Listing and Trading of Shares of the Franklin Crypto Index ETF To Permit Staking

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the Franklin Crypto Index ETF (the ''Fund''), a series of the Franklin Crypto Trust (the ''Trust''), shares (the ''Shares'') of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit staking of the ether held by the Fund.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Commission approved the Exchange's proposal to list and trade shares (the ''Shares'') of the Fund on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on December 19, 2024.[3] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Shares are issued by the Fund, which is a series of the Trust. The Trust was formed as a Delaware statutory trust on August 13, 2024.

Based on discussions with the Sponsor, the Exchange proposes to amend several portions of the Crypto Index ETP Amendment No. 1 in order to allow the staking of the ether held by the Fund. First, the Exchange is proposes to delete the following representation in the Crypto Index ETP Amendment No. 1 that provides that the Fund will not engage in staking: [4]

> Neither the Trust or the Fund, nor the Sponsor, nor the Custodian, nor any other person associated with the Trust or Fund will, directly or indirectly, engage in action where any portion of the Fund's ether becomes subject to the Ethereum proof-of-stake validation or is used to earn additional ether or generate income or other earnings.

The Exchange also proposes to add the following ''Staking'' section following the ''The Custodian'' section [5] of the Crypto Index ETP Amendment No. 1:

> **Staking**
>
> The Sponsor may, from time to time, stake a portion of the Fund's ether on behalf of the Fund through one or more Trusted staking providers, which may include the Custodian, an affiliate of the Custodian, or an affiliate of the Sponsor (''Staking Providers''). In consideration for any staking activity in which the Fund may engage, the Fund would receive certain staking rewards of ether tokens, which may be treated as income to the Fund.
>
> *The Staking Process*
>
> In the second half of 2020, the Ethereum network began the first of several stages of an upgrade culminating in a transition referred to as the ''Merge.'' The Merge amended the Ethereum network's consensus mechanism to a process known as proof-of-stake. Proof-of-stake was intended to address the perceived shortcomings of the proof-of-work consensus mechanism in terms of labor intensity and duplicative computational effort expended by validators (known under proof-of-work as ''miners''). In a proof-of-work consensus mechanism, miners effectively compete to be the first in time to solve the cryptographic puzzle that would allow them to be the only validator permitted to validate the block and thus be the only ones to receive the resulting block reward. Miners who are not first in time (and thus are not permitted to be validators) will have effectively expended significant labor and computing power for no gain. In a proof-of-stake mechanism, by contrast, a single validator is randomly selected to solve the cryptographic puzzle needed to validate a block, which it proposes to a committee of other validators, who vote for whether to include the block (or not). This proof-of-stake system reduces the computational work performed—and energy expended—to validate each block compared to proof-of-work.
>
> Unlike proof-of-work, in which miners expend computational resources to compete to validate transactions and are rewarded coins in proportion to the amount of

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 101963 (December 18, 2024) 89 FR 105109 (December 26, 2024) (SR–CboeBZX–2024–091) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust, Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Crypto Index ETP Amendment No. 1''); 101998 (December 19, 2024) 89 FR 106707 (December 30, 2024) (SR–CboeBZX–2024–028) (Order Granting Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Hashdex Nasdaq Crypto Index US ETF and Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust) (the ''Crypto Index ETF Approval Order'').

[4] *See* Crypto Index ETP Amendment No. 1 at 105111.

[5] *See* Crypto Index ETP Amendment No. 1 at 105113.

computational resources expended, in proof-of-stake, validators risk or ''stake'' coins to compete to be randomly selected to validate transactions and are rewarded coins in proportion to the amount of coins staked. Any malicious activity, such as mining multiple blocks, disagreeing with the eventual consensus or otherwise violating protocol rules, results in the forfeiture or ''slashing'' of a portion of the staked coins. Proof-of-stake is viewed as more energy efficient and scalable than proof-of-work.

New ether is created as a result of the staking of ether by validators. Validators are required to stake ether in order to be selected to perform validation activities and then once selected, as a reward, they earn newly created ether. Validation activities include verifying transactions, storing data, and adding to the Ethereum blockchain.

To operate a node on the Ethereum blockchain, a validator must acquire and lock 32 ether by sending a special transaction to the staking contract. This transaction associates the staked ether with a withdrawal address (to unlock the ether and receive any staking rewards) and a validator address (to designate the validator node performing transaction verification).

Staking by the Sponsor on Behalf of the Fund

The Sponsor may, from time to time, stake a portion of the Fund's ether on behalf of the Fund through one or more Staking Providers. The Sponsor expects to maintain sufficient liquidity in the Fund to satisfy redemptions. The ether staked by the Sponsor on behalf of the Fund will consist exclusively of ether owned by the Fund. The Sponsor's staking activities on behalf of the Fund will not constitute ''delegated staking'' and will not form part of a ''staking as a service'' offering.

As further discussed below, the Sponsor believes its activities in relation to staking the ether held by the Fund on behalf of the Fund are materially different from the delegated staking and ''staking as a service'' activities that the SEC has alleged to involve securities offerings in violation of Section 5 of the Securities Act of 1933 (the ''Securities Act'').[6]

First, the Sponsor will only stake the ether held by the Fund. The Sponsor will not seek to pool the ether held by the Fund with ether held by other entities (although such pooling may occur at the level of a Staking Provider). Second, the Sponsor will not advertise itself as providing any staking services generally, or promise any specific level of return from staking, or solicit delegated stakes from entities other than the Fund. Third, the Sponsor has stated that it is staking the Fund's ether solely in order to maximize the Fund's revenue generation opportunities, and to generate returns for the Fund's shareholders. Fourth, the Sponsor will not bear or subsidize the risk of slashing on behalf of the Fund.

Staking by the Sponsor will not result in the ether held by the Fund moving out of the custody of the Custodian. In order to stake the Fund's ether, Sponsor will engage in what is known as ''point-and-click staking.'' Point-and-click staking involves an interface through which an entity can simply initiate staking by pointing and clicking on the ether assets to be staked. This process does not involve the staked ether leaving the wallet in which it is held and accordingly reduces the risk of loss of ether through theft at the node while the asset is staked (although this process will not reduce the risk of loss of the ether through slashing).

Except for the above changes, all other representations in Crypto Index ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Fund will continue to comply with the terms of Crypto Index ETP Amendment No. 1 and the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[7] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[8] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would allow the Fund to stake its ether on behalf of its investors. The Ethereum network allows for staking of its native asset, ether tokens, and permits validators who successfully stake ether to receive rewards in the form of more ether tokens. The net beneficiaries are not only validators, or those on behalf of whom they stake ether, but also the Ethereum blockchain itself which grows and is progressively made more secure through the validation of transactions. Staking permits validators to contribute to the network by staking their tokens to secure the blockchain, facilitating the creation of blocks, and helping process transactions. Validators are compensated for fulfilling this important role through transaction fees and consensus rewards paid by the blockchain itself.

Staking through mechanisms such as ''point-and-click'' staking can also permit the earning of rewards without certain additional risks to the tokens held by the Custodian on behalf of the Fund. As such, not staking the Fund's ether would amount to waiving the Fund's right to free additional ether, an act analogous to an equity ETP refusing dividends from the companies it holds. Allowing the Fund to stake its ether would benefit investors and help the Fund to better track the returns associated with holding ether. This would improve the creation and

[6] *See SEC* v. *Payward Ventures, Inc. and Payward Trading, Ltd.,* (Complaint filed February 9, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-25.pdf.* (In February 2023, the SEC charged and entered into a settlement order with Payward Ventures, Inc. and Payward Trading Ltd., both commonly known as Kraken, regarding Kraken's alleged failure to register the offer and sale of their crypto asset staking-as-a-service program, whereby investors transfer crypto assets to Kraken for staking in exchange for advertised annual investment returns of as much as 21 percent. According to the SEC's complaint, since 2019, Kraken has offered and sold its crypto asset ''staking services'' to the general public, whereby Kraken pools certain crypto assets transferred by investors and stakes them on behalf of those investors. According to the SEC, investors would lock up—or ''stake''—their crypto tokens with Kraken with the goal of being rewarded with new tokens when their staked crypto tokens become part of the process for validating data for the blockchain. The complaint alleged that Kraken touted that its staking investment program offered an easy-to-use platform and benefits that derived from Kraken's efforts on behalf of investors, including Kraken's strategies to obtain regular investment returns and payouts.) *See also SEC* v. *Binance Holdings Limited, et al.,* (Complaint filed June 5, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-101.pdf.* (On June 5, 2023, the SEC filed a complaint charging Binance Holdings Ltd. and certain of its affiliates with a variety of securities law violations, including operating a ''staking-as-a-service'' program. The SEC's complaint alleges, among other things, that BAM Trading violated Sections 5(a) and 5(c) of the Securities Act by offering and selling its staking program without a registration statement, and that BAM Trading's Staking Program was promoted ''as a superior and much easier way to obtain staking rewards by, among other things, pooling the crypto assets of a large number of investors.'') *See also SEC* v. *Coinbase, Inc. and Coinbase Global* (Complaint filed June 6, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-102.pdf.* (On June 6, 2023, the SEC filed a complaint against Coinbase, Inc. and Coinbase Global in federal district court in the Southern District of New York, alleging, *inter alia* that Coinbase Inc. violated the Securities Act by failing to register with the SEC the offer and sale of its staking program. The SEC's complaint alleges that through the Coinbase staking program, investors' crypto assets are transferred to and pooled by Coinbase (segregated by asset), and subsequently ''staked'' (or committed) by Coinbase in exchange for rewards, which Coinbase distributes pro rata to investors after paying itself a 25–35% commission. The SEC also alleges that investors understand that Coinbase will expend efforts and leverage its experience and expertise to generate returns.)

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

redemption process for both authorized participants and the Fund, increase efficiency, and ultimately benefit the end investors in the Funds.

Except for the addition of staking of the Fund's ether and the changes discussed herein, all other representations made in Crypto Index ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the Fund.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to benefit investors and allow the Fund to better track the returns associated with holding ether. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2025–037 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2025–037. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–037 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04327 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102626; File No. SR–CboeEDGX–2025–005]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List Options on the Fidelity Ethereum Fund

March 12, 2025.

On January 24, 2025, Cboe EDGX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list options on the Fidelity Ethereum Fund. On February 3, 2025 the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 13, 2025.[3] The Commission received no comments regarding the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is March 30, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 14, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102374 (Feb. 7, 2025), 90 FR 9570.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

disapprove, the proposed rule change (File No. SR–CboeEDGX–2025–005).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04347 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102615; File No. SR–CBOE–2025–013)

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Rules Related to the Preferred Market-Maker (''PMM'') Participation Entitlement

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2025, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 5.32 (Order and Quote Book Processing, Display, Priority, and Execution) to amend the participation entitlement percentages for Preferred Market-Makers (''PMMs'') to apply a 60/40 participation entitlement percentage structure, change how the System rounds fractional fills resulting from the PMM participation entitlement percentage structure for orders of more than one contract, and amend the rules so that a PMM will receive, at the very least, one contract under the participation entitlement, if the PMM has a quote at the best price (*i.e.,* highest bid or lowest offer). The text of the proposed rule change is provided in Exhibit 5.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-013.*

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

CBOE has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)[4] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(6)[6] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[7] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[8] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it furthers the intent of the PMM participation entitlement (*i.e.,* provide PMMs with a more consistent benefit for their heightened quoting obligations)—which the Exchange may result in greater liquidity and more trading opportunities, to the benefit of investors—and does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[9]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[10] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-013*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–CBOE–2025–013 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–CBOE–2025–013. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-013*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[7] 17 CFR 240.19b–4(f)(6).

[8] 17 CFR 240.19b–4(f)(6)(iii).

[9] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[10] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2025–013 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04336 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102620; File No. SR–NASDAQ–2025–024]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Transaction Fees at Equity 7, Sections 121 and 160

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 6, 2025, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's transaction fees at Equity 7, Sections 121 and 160 for: (i) the Nasdaq Report Center; and (ii) the Equity Trade Journal for Clearing Firms.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at (*https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings*), and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-2025-024*.

II. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[5] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-2025-024*) or by sending an email to *rule-comments@sec.gov*. Please include file number SR–NASDAQ–2025–024 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–NASDAQ–2025–024. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-2025-024*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2025–024 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04341 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102624; File No. SR–CboeBZX–2025–018]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF

March 12, 2025.

On February 5, 2025, Cboe BZX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade options on the Grayscale Ethereum Trust ETF, the Grayscale Ethereum Mini Trust ETF, and the Bitwise Ethereum ETF. On February 6, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 26, 2025.[3] The Commission received no comments regarding the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after

[11] 17 CFR 200.30–3(a)(12) and (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of SRO.

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102456 (Feb. 20, 2025), 90 FR 10759.

[4] 15 U.S.C. 78s(b)(2).

publication of the notice for this proposed rule change is April 12, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 27, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2025–018).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04345 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102643; File No. SR–CboeBZX–2025–038]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend the Rule Governing the Listing and Trading of Shares of the Fidelity Ethereum Fund To Permit Staking

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 11, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the Fidelity Ethereum Fund (the ''Trust''), shares (the ''Shares'') of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit staking of ether held by the Trust.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Commission approved the Exchange's proposal to list and trade shares (the ''Shares'') of the Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[3] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Shares are issued by the Trust, which was formed as a Delaware statutory trust on October 31, 2023.

Based on discussions with the Sponsor, the Exchange proposes to amend several portions of the Eth ETP Amendment No. 2, as amended, in order to allow the staking of ether held by the Trust.[4] First, the Exchange proposes to delete the following representation in the Eth ETP Amendment No. 2 that provides that the Fund will not engage in staking: [5]

> Neither the Trust, nor the Sponsor, nor the Custodian, nor any other person associated with the Trust will, directly or indirectly, engage in action where any portion of the Trust's ETH becomes subject to the Ethereum proof-of-stake validation or is used to earn additional ETH or generate income or other earnings.

The Exchange also proposes to add the following ''Staking'' section following the ''The Custodian'' section [6] of the Eth ETP Amendment No. 2:

Staking

The Sponsor may stake, or cause to be staked, all or a portion of the Trust's ether through one or more trusted staking providers (''Staking Providers''). In consideration for any staking activity in which the Trust may engage, the Trust would receive all or a portion of the staking rewards generated by the Staking Provider, which may be treated as income to the Trust.

The Staking Process

On September 15, 2022, the Ethereum network upgraded from proof-of-work to a proof-of-stake consensus mechanism in a transition commonly referred to as ''the Merge''. Proof-of-stake was intended to address the perceived shortcomings of the proof-of-work related to energy usage and duplicative computational effort expended by network contributors (known under proof-of-work as ''miners'' and under proof-of-stake as ''validators''). In a proof-of-work mechanism, miners compete to be the first to solve the cryptographic puzzle. The winner then becomes the only miner permitted to process the block and, in turn, the one to receive the respective rewards. Miners who are not first in time (and thus are not permitted to process the next block) will have effectively expended significant labor and computing power for no gain. Under a proof-of-stake mechanism, several validators can be involved in the processing of a block. One validator may be selected to propose a block while other validators verify the content of that block. The corresponding rewards vary per role performed.

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 100215 (May 22, 2024) 89 FR 46478 (May 29, 2024) (SR–CboeBZX–2023–095) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change to List and Trade Shares of the Fidelity Ethereum Fund Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Eth ETP Amendment No. 2''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–070) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''Approval Order'').

[4] The Exchange has also filed a separate proposed rule change to amend portions of the Eth ETP Amendment No. 2 in order to allow for in-kind creation and redemptions. See Securities Exchange Act Release No. 34–102451 (February 19, 2025); File No. SR–CboeBZX–2025–023).

[5] *See* Eth ETP Amendment No. 2 at 46487.

[6] *See* Eth ETP Amendment No. 2 at 46488.

Additionally, validators do not compete based on computational power like miners do. Instead, the amount of capital each validator has committed, in the form of the blockchain's native currency, is what contributes to the selection. This proof-of-stake system reduces the computational work performed—and energy expended—to validate each block compared to proof-of-work.

Under proof-of-stake, validators staking a minimum of 32 ether are randomly selected by an Ethereum Network algorithm to process transactions. Entities running multiple validator nodes will therefore experience an increased likelihood of any one of their validators being selected based on their share of validators compared to the total active validators on the network. Any malicious activity, such as double signing, disagreeing with the eventual consensus or otherwise violating protocol rules, results in the forfeiture or ''slashing'' of a portion of the staked ether.

To operate a node on the Ethereum blockchain, a validator must acquire and lock at least 32 ether by sending a deposit transaction to the staking contract. This transaction associates the staked ether with a withdrawal address (to unlock the ether and receive any staking rewards) and a validator address (to designate the validator node performing transaction verification).

Staking by the Sponsor on Behalf of the Trust

The Sponsor may stake, or cause to be staked, all or a portion of the Trust's ether on behalf of the Trust through one or more Staking Providers. The Sponsor expects to maintain sufficient liquidity in the Trust to satisfy redemptions and current liabilities. Any ether staked by the Sponsor on behalf of the Trust will consist exclusively of ether owned by the Trust. The Sponsor's staking activities on behalf of the Trust will not constitute activities that the SEC has alleged to involve securities offerings in violation of Section 5 of the Securities Act of 1933 (the ''Securities Act'').[7]

First, the Sponsor will only stake, or cause to be staked, ether held by the Trust. The Sponsor will not seek to pool ether held by the Trust with ether held by other entities in order to stake its assets in a node. Second, the Sponsor will not advertise itself as providing any staking services generally, or promise or promote any specific level of return from staking, or solicit delegated stakes from entities other than the Trust. Third, the Sponsor will stake, or cause to be staked, the Trust's ether solely in order to preserve the assets of the Trust by contributing to the security of the network and to generate returns for the Trust's shareholders.

[Staking by the Sponsor will not result in ether held by the Trust moving out of the control of the Custodian.] The staking contract can only release ether, either remaining principal or rewards, to the withdrawal address specified when the validator is created. The private keys associated with this withdrawal address are controlled by the Custodian. Additionally, the Sponsor will engage with Staking Provider(s) to execute software and hardware necessary for a live validator to perform its duties. Even if the validators are unable to perform these duties due to complete failure or disruption of the hardware, the Custodian is able to retrieve ether from the associated validators.

Except for the above changes, all other representations in the Eth ETP Amendment No. 2, as amended, remain unchanged and will continue to constitute continuing listing requirements. In addition, the Trust will continue to comply with the terms of Amendment No. 2, as amended, and the requirements of Rule 14.11(e)(4).

[7] *See* SEC v. *Payward Ventures, Inc. and Payward Trading, Ltd.,* (Complaint filed February 9, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-25.pdf.* (In February 2023, the SEC charged and entered into a settlement order with Payward Ventures, Inc. and Payward Trading Ltd., both commonly known as Kraken, regarding Kraken's alleged failure to register the offer and sale of their crypto asset staking as a service program, whereby investors transfer crypto assets to Kraken for staking in exchange for advertised annual investment returns of as much as 21 percent. According to the SEC's complaint, since 2019, Kraken has offered and sold its crypto asset ''staking services'' to the general public, whereby Kraken pools certain crypto assets transferred by investors and stakes them on behalf of those investors. According to the SEC, investors would lock up—or ''stake''—their crypto tokens with Kraken with the goal of being rewarded with new tokens when their staked crypto tokens become part of the process for validating data for the blockchain. The complaint alleged that Kraken touted that its staking investment program offered an easy-to-use platform and benefits that derived from Kraken's efforts on behalf of investors, including Kraken's strategies to obtain regular investment returns and payouts.) *See also SEC* v. *Binance Holdings Limited, et al.,* (Complaint filed June 5, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-101.pdf.* (On June 5, 2023, the SEC filed a complaint charging Binance Holdings Ltd. and certain of its affiliates with a variety of securities law violations, including operating a ''staking as a service'' program. The SEC's complaint alleges, among other things, that BAM Trading violated Sections 5(a) and 5(c) of the Securities Act by offering and selling its staking program without a registration statement, and that BAM Trading's Staking Program was promoted ''as a superior and much easier way to obtain staking rewards by, among other things, pooling the crypto assets of a large number of investors.'') *See also SEC* v. *Coinbase, Inc. and Coinbase Global* (Complaint filed June 6, 2023) available at *https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-102.pdf.* (On June 6, 2023, the SEC filed a complaint against Coinbase, Inc. and Coinbase Global in federal district court in the Southern District of New York, alleging, inter alia that Coinbase Inc. violated the Securities Act by failing to register with the SEC the offer and sale of its staking program. The SEC's complaint alleges that through the Coinbase staking program, investors' crypto assets are transferred to and pooled by Coinbase (segregated by asset), and subsequently ''staked'' (or committed) by Coinbase in exchange for rewards, which Coinbase distributes pro rata to investors after paying itself a 25–35% commission. The SEC also alleges that investors understand that Coinbase will expend efforts and leverage its experience and expertise to generate returns. On February 27, 2025, the SEC filed to dismiss its lawsuit.)

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[8] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[9] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would allow the Trust to stake its ether on behalf of its investors. The Ethereum network allows for staking of its native asset, ether, and permits validators who successfully stake ether to receive block rewards. The net beneficiaries are not only validators, or those on behalf of whom they stake ether, but also the Ethereum blockchain itself which grows and is progressively made more secure through the validation of transactions. Staking permits validators to contribute to network security and functionality. Validators are compensated for fulfilling this important role through block rewards.

Allowing the Trust to stake its ether would benefit investors and help the Trust to better track the returns associated with holding ether. This would improve the creation and redemption process for both authorized participants and the Trust, increase efficiency, and ultimately benefit the end investors in the Trust.

Except for the addition of staking of the Trust's ether and the changes discussed herein, all other representations made in the Eth ETP Amendment No. 2, as amended, remain unchanged and will continue to constitute continuing listing requirements for the Trust.

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(5).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to benefit investors and allow the Trust to better track the returns associated with holding ether. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2025–038 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2025–038. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–038 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04330 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102616; File No. SR–NYSE–2025–03]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule and NYSE Propriety Market Data Fees

March 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2025, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule and NYSE Propriety Market Data Fees (''Schedule of Market Data Fees'') to reflect the proposed name change of NYSE Chicago, Inc. to NYSE Texas, Inc.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at *www.nyse.com* and on the Commission's website at *https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NYSE-2025-03.*

II. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(6)[6] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6)[8] thereunder.

[10] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f). At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as

A proposed rule change filed under Rule 19b–4(f)(6) [9] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[10] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. A waiver would enable this proposed rule change to become operative at the same time that a related NYSE Chicago, Inc. rule filing [11] (''NYSE Chicago filing''), which is the filing that changes the name of NYSE Chicago, Inc. to NYSE Texas, Inc., becomes operative. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes simply reflect the name change, consistent with the changes proposed by the NYSE Chicago filing, and a waiver would avoid any potential confusion about the name of the entity in the Connectivity Fee Schedule. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.[13] Comments may be submitted electronically by using the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSE-2025-03*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–NYSE–2025–03 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to file number SR–NYSE–2025–03. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securites-exchanges?file_number=SR-NYSE-2025-03*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSE–2025–03 and should be submitted on or before April 8, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04337 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] *See* SR–NYSECHX–2025–01 (filed February 25, 2025).

[12] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[13] Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange.

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102633; File No. SR–CBOE–2024–042]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Permit Orders Comprised of Options and Futures Legs (''Future-Option Orders'')

March 12, 2025.

I. Introduction

On September 17, 2024, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to permit future-option orders. The proposed rule change was published for comment in the **Federal Register** on October 8, 2024.[3] On November 18, 2024, the Commission extended the time period within which to approve, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change to January 6, 2025.[4] On January 6, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act [5] to determine whether to approve or disapprove the proposed rule change (''Order Instituting Proceedings'').[6]

Section 19(b)(2) of the Act [7] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for notice and comment in the **Federal Register** on October 8, 2024.[8] April 6, 2025 is 180

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 101229 (Oct. 1, 2024), 89 FR 81592 (''Notice'').

[4] *See* Securities Exchange Act Release No. 101646, 89 FR 92726 (November 22, 2024).

[5] 15 U.S.C. 78s(b)(2)(B).

[6] *See* Securities Exchange Act Release No. 102126, 90 FR 2759 (January 13, 2025).

[7] 15 U.S.C. 78s(b)(2).

[8] *See* Notice, *supra* note 3.

days from that date, and June 5, 2025 is 240 days from that date.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and its comments. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[9] designates June 5, 2025 as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 1 (File No. SR–CBOE–2024–042).

Commission shall either approve or disapprove the proposed rule change (File No. SR–Phlx–2024–15).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04354 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102629; File No. SR–NYSEARCA–2025–07]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rules Regarding the Position and Exercise Limits for Options on the Grayscale Bitcoin Trust and To Permit Flexible Exchange Options on the Grayscale Bitcoin Trust

March 12, 2025.

On January 29, 2025, NYSE Arca, Inc. filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend rules regarding the position and exercise limits for options on the Grayscale Bitcoin Trust and to permit Flexible Exchange Options on the Grayscale Bitcoin Trust. On February 7, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as amended, was published for comment in the **Federal Register** on February 18, 2025.[3] The Commission has received no comments on the proposed rule change.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 4, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates May 19, 2025 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEARCA–2025–07).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04350 Filed 3–17–25; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

AGENCY: U.S. Small Business Administration.

ACTION: 60-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) is publishing this notice in compliance with the Paperwork Reduction Act (PRA) of 1995, as amended, to solicit public comments on the information collection described below. The PRA requires publication of this notice before submitting the information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Submit comments on or before May 19, 2025.

ADDRESSES: Comments should refer to the information collection by title or OMB Control Number (3245–0407) and submitted by the deadline above to: *PPP_Info_Collections@sba.gov.*

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Agency Clearance Officer, Curtis Rich, at (202) 205–7030, or *curtis.rich@sba.gov,* or from Cailyn Gerald, Director, Internal Controls Division, Office of Financial Program Operations, at 202–205–7373, or *cailyn.gerald@sba.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic Aid Act also amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, further amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

This information collection is used for the PPP Loan Program. This approval is set to expire on March 31, 2025. SBA will request approval of an extension of this information collection for three (3) years. Although SBA's PPP program authority has expired, this information collection is still needed for the following reasons: (1) PPP borrowers may apply for forgiveness of their loans up to five years after SBA issued a loan number, which may be as late as 2026; (2) SBA may review a PPP loan at any time; and (3) pending litigation may require the collection of information. Additionally, SBA recently published an Interim Final Rule on Paycheck Protection Program—Extension of Lender Records Retention Requirements

[9] 15 U.S.C. 78s(b)(2).

[10] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102402 (Feb. 11, 2025), 90 FR 9765.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

(89 FR 68090, August 23, 2024), extending the PPP loan records retention requirements for PPP lenders to ten years from the date of disposition of each individual PPP loan. Because the PPP lender recordkeeping requirements have been extended, this information collection needs to be extended accordingly. Therefore, as required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond March 31, 2025. There are no proposed changes to any of the information to be submitted by lenders or borrowers.

Summary of Information Collection

Title: Paycheck Protection Loan Program Borrower Information Form and Lender's Application for Loan Guaranty.

OMB Control Number: 3245–0407.

(i) SBA Form 2483—Paycheck Protection Program Borrower Application Form

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 77,329.

(ii) SBA Form 2483–C—Paycheck Protection Program Borrower Application Form for Schedule C Filers Using Gross Income.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 1,993.

(iii) SBA Form 2484—Lender's Application—Paycheck Protection Program Loan Guaranty.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 76,822.

(iv) SBA Form 3506, CARES Act Section 1102 Lender Agreement.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 6.

(v) SBA Form 3507, CARES Act Section 1102 Lender Agreement—Non-Bank and Non-Insured Depository Institution Lenders.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 1.

(vi) SBA Form 3508, Paycheck Protection Program—Loan Forgiveness Application.

Estimated Number of Respondents: 57,812.

Estimated Annual Responses: 57,812.

Estimated Annual Hour Burden: 173,678.

(vii) SBA Form 3508EZ, Paycheck Protection Program—PPP Loan Forgiveness Application Form EZ.

*Estimated Number of Respondents:*173,437.

*Estimated Annual Responses:*173,437.

Estimated Annual Hour Burden: 58,535.

(viii) SBA Form 3508S, Paycheck Protection Program—PPP Forgiveness Application Form 3508S.

Estimated Number of Respondents: 924,999.

Estimated Annual Responses: 924,999.

Estimated Annual Hour Burden: 235,104.

(ix) SBA Form 3508D—Paycheck Protection Program Borrower's Disclosure of Certain Controlling Interests.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 3 .

(x) [No Form Number] Lender Reporting Requirements for Loan Review.

Estimated Number of Respondents: 175,000.

Estimated Annual Responses: 175,000.

Estimated Annual Hour Burden: 88,980.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

Curtis Rich,

Agency Clearance Officer.

[FR Doc. 2025–04405 Filed 3–17–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before April 17, 2025.

FOR FURTHER INFORMATION CONTACT: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number. You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at *Curtis.Rich@sba.gov;* (202) 205–7030, or from *www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: SBA received funds under the American Rescue Plan Act of 2021 (ARPA), Public Law 117–2, title V, sec. 5003 (March 11, 2021), to provide direct funds to Eating and Drinking establishments that meet certain conditions. Specifically, Section 5003 of ARPA establishes the Restaurant Revitalization Fund (RRF) program to provide direct funds of up to $10 million dollars and limited to $5 million dollars per location to certain eligible persons or entities: A restaurant, food stand, food truck, food cart, caterer, saloon, inn, tavern, bar, lounge, brewpub, tasting room, taproom, licensed facility or premise of a beverage alcohol producer where the public may taste, sample, or purchase products, or other similar place of business in which the public or patrons assemble for the primary purpose of being served food or drink. Section 5003(c)(6) of ARPA requires recipients to return to the Treasury any funds that the recipient did not use for allowable expenses by the end of the covered period, or if the recipient permanently ceased operations, not later than April 30, 2023. SBA plans to update the information collection under OMB control number 3245–0424 to extend the record retention requirements.

Solicitation of Public Comments

SBA is requesting comments on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the

burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collection

PRA Number: 3245–0424

(1) Title: Restaurant Revitalization Fund Program Post Award Report.

Description of Respondents: Recipients of RRF awards.

Form Number: SBA Form 3173.

Total Estimated Annual Responses: 101,004.

Total Estimated Annual Hour Burden: 24,240.

Curtis B. Rich,

Agency Clearance Officer.

[FR Doc. 2025–04314 Filed 3–17–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATIONS

Data Collection Available for Public Comments

AGENCY: U.S. Small Business Administration.

ACTION: 60-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) is publishing this notice in compliance with the Paperwork Reduction Act (PRA) of 1995, as amended, to solicit public comments on the information collection described below. The PRA requires publication of this notice before submitting the information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Submit comments on or before May 19, 2025.

ADDRESSES: Comments should refer to the information collection by title or OMB Control Number (3245–0416) and submitted by the deadline above to: *PPP_Info_Collections@sba.gov.*

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Agency Clearance Officer, Curtis Rich, at (202) 205–7030, or *curtis.rich@sba.gov,* or from Cailyn Gerald, Director, Internal Controls Division, Office of Financial Program Operations, at 202–205–7373, or *cailyn.gerald@sba.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic Aid Act also amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, further amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

This information collection is used for the PPP Loan Program. This approval is set to expire on March 31, 2025. SBA will request approval of an extension of this information collection for three (3) years. Although SBA's PPP program authority has expired, this information collection is still needed for the following reasons: (1) PPP borrowers may apply for forgiveness of their loans up to five years after SBA issued a loan number, which may be as late as 2026; and (2) SBA may review a PPP loan at any time; and (3) pending litigation may require the collection of information. Additionally, SBA recently published an Interim Final Rule on Paycheck Protection Program—Extension of Lender Records Retention Requirements (89 FR 68090, August 23, 2024), extending the PPP loan records retention requirements for PPP lenders to ten years from the date of disposition of each individual PPP loan. Because the PPP lender recordkeeping requirements have been extended, this information collection needs to be extended accordingly. Therefore, as required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond March 31, 2025. There are no proposed changes to the form.

Summary of Information Collection

Title: Paycheck Protection Program Affiliation Worksheet.

Form Number: SBA Form 3511.

OMB Control Number: 3245–0416.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 63.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

Curtis Rich,

Agency Clearance Officer.

[FR Doc. 2025–04408 Filed 3–17–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12684]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Rethinking Etruria'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''Rethinking Etruria'' at the Institute for the Study of the Ancient World, New York University, New York, New York, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of

1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 574 of March 4, 2025.

Mary C. Miner,

Managing Director for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–04418 Filed 3–17–25; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36823; Docket No. FD 36824]

Macquarie Infrastructure Partners V GP, LLC, et al.—Continuance in Control—North Florida Industrial Railroad, LLC; North Florida Industrial Railroad, LLC—Lease and Operation Exemption—Rail Line in Columbia County, Fla.

By petition filed on January 7, 2025, in *Macquarie Infrastructure Partners V GP, LLC—Continuance in Control—North Florida Industrial Railroad, LLC,* Docket No. FD 36823, Macquarie Infrastructure Partners V GP, LLC (MIP GP), for the benefit of the Macquarie Infrastructure Partners V fund vehicle (MIP V); MIP V Rail, LLC (MIP Rail); Pinsly Holdco, LLC; and Pinsly Railroad Company, LLC (Pinsly), all non-carriers (together, Petitioners), seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323 to continue in control of North Florida Industrial Railroad, LLC (NFIR), when NFIR becomes a Class III rail carrier.[1] As discussed below, the Board will grant the petition for exemption.

Background

NFIR is a noncarrier that has been organized to lease and operate 4,891 feet of track in Columbia County, Fla. (the Line), connecting the North Florida Mega Industrial Park (Park) with a rail line operated by Florida Gulf & Atlantic Railroad, LLC (FG&A). (Pet. 2–3.) NFIR is owned by Pinsly.[1]

In a related transaction in *North Florida Industrial Railroad, LLC—Lease and Operation Exemption—Rail Line in Columbia County, Fla.,* Docket No. FD 36824, NFIR filed a verified notice of exemption to lease and operate the Line. According to the verified notice, the Line is currently owned by Columbia County, Fla., a noncarrier, and is inactive. (Notice 2.) Notice of the exemption was served and published in the **Federal Register** on January 23, 2025 (90 FR 8088). The notice held the effective date of the exemption in abeyance pending review of the petition for exemption in Docket No. FD 36823.[2]

Petitioners explain that the proposed continuance in control transaction does not qualify for the class exemption under 49 CFR 1180.2(d)(2) because the Line connects with FG&A's line at milepost 688 near Lake City, Florida.[3] (Pet. 4.); *see* 49 CFR 1180.2(d)(2) (requiring that the subject line not connect with any other rail lines in the corporate family to qualify for a class exemption). Petitioners state that the transaction will only connect FG&A and NFIR; no other Pinsly railroad would interconnect with NFIR (or FG&A). (Pet. 4.) Petitioners further state that no current or future shippers will lose access or potential access to alternative rail service as a result of the transactions contemplated in the petition or related notice of exemption; instead, the transactions will ensure the availability of rail service to the Park's customers. (*Id.*)

In support of their petition, Petitioners state that a full review of the continuance in control transaction is not needed to carry out the Rail Transportation Policy (RTP) of 49 U.S.C. 10101. (Pet. 5.) Specifically, Petitioners assert that their continuance in control of NFIR will either advance or have no effect on each of the RTP factors. (*Id.* at 6–10.) They argue that granting the petition for exemption will facilitate rail service to new customers, thereby expanding their transportation options; save Petitioners from having to incur the expense of filing a full application; save the Board from having to devote time and resources to considering a full application; and enable NFIR to benefit from Pinsly's operational expertise and experience. (*Id.*) Petitioners further state that this is a ''modest shortline transaction'' involving less than a mile of rail track and presents no threat of an abuse of market power. (*Id.* at 5.)

Discussion and Conclusions

Under 49 U.S.C. 11323(a)(5), prior approval by the Board is required for the acquisition of control of a rail carrier by a person that is not a rail carrier but that controls any number of rail carriers. Under 49 U.S.C. 10502(a), however, the Board, to the maximum extent consistent with 49 U.S.C. subtitle IV part A, must exempt a transaction from regulation when it finds that (1) regulation is not necessary to carry out the RTP, and (2) either (a) the transaction is limited in scope, or (b) regulation is not needed to protect shippers from the abuse of market power.

In this case, an exemption from the prior approval requirements of 49 U.S.C. 11323–25 is consistent with the standards of 49 U.S.C. 10502(a). Detailed scrutiny of the proposed transaction through an application for review and approval under sections 11323–25 is not necessary to carry out the RTP. Permitting Petitioners to continue in control of NFIR without having to file an application would promote the RTP by minimizing the need for federal regulatory control over the proposed transaction, 49 U.S.C. 10101(2); reducing regulatory barriers to entry into and exit from the industry, 49 U.S.C. 10101(7); and providing for the expeditious resolution of this proceeding, 49 U.S.C. 10101(15). Additionally, the transaction here will allow Petitioners—including Pinsly, an experienced rail operator—to manage the introduction of rail service to new customers, thereby ensuring the continuation of a sound rail transportation system that would continue to meet the needs of the public, 49 U.S.C. 10101(4); fostering sound economic conditions in transportation, 49 U.S.C. 10101(5); and encouraging efficient management of railroads, 49 U.S.C. 10101(9). Other aspects of the RTP would not be adversely affected.

Regulation of the control transaction is not needed to protect shippers from an abuse of market power.[4] As noted, no rail service currently is provided over the Line, so NFIR's lease and operation of the Line and Petitioners' related continuance in control will provide shippers in the Park with a new transportation option. Additionally,

[1] These proceedings are not consolidated. A single decision is being issued for administrative purposes.

[1] According to the Petition, ''Pinsly is wholly owned by Pinsly Holdco, LLC, which is wholly owned by MIP Rail, which in turn is wholly owned (indirectly) by MIP V, which is controlled by MIP GP.'' (Pet. 3 n.1.) In addition to NFIR, Pinsly currently controls seven rail common carriers. (*Id.* at 3.) Those seven rail carriers are FG&A; Grenada Railroad, LLC; Camp Chase Rail, LLC; Chesapeake and Indiana Railroad, LLC; Vermilion Valley Railroad Company LLC; Pioneer Valley Railroad Company, LLC; and Hondo Railway, LLC. (*Id.* at 3–4.)

[2] On February 12, 2025, Steven Connolly filed a letter in Docket No. FD 36824. Mr. Connolly's letter was addressed to U.S. Representative Kat Cammack requesting her office's assistance in expediting these proceedings.

[3] Although the petition states that the connection will be located at milepost ''888,'' (Pet. 4), the maps attached to the notice show the milepost as being 688. (Pet., Ex. 1.)

[4] Given this finding, the Board need not determine whether the transaction is limited in scope. *See* 49 U.S.C. 10502(a).

because the Line connects only to FG&A, (*see* Pet., Ex. 1–A), there is no risk that FG&A may foreclose interchange with other connecting carriers or that shippers will otherwise lose access to alternative rail service as a result of the transaction. Further, no shipper (or any other entity) has objected to the proposed control transaction or NFIR's lease and operation of the line in Docket No. FD 36824.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a carrier of its statutory obligation to protect the interests of employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Therefore, because all of the carriers involved in the continuance in control transaction are Class III carriers, the Board may not impose labor protective conditions.

The control transaction is exempt from environmental reporting requirements under 49 CFR 1105.6(c)(1)(i) because it will not result in any significant change in carrier operations. Similarly, the transaction is exempt from the historic reporting requirements under 49 CFR 1105.8(b)(3) because it will not substantially change the level of maintenance of railroad properties.

It is ordered:

1. Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 11323–25 Petitioners' continuance in control of NFIR when NFIR becomes a Class III rail carrier.

2. Notice of the exemption will be published in the **Federal Register**.

3. The continuance in control exemption in Docket No. FD 36823 will become effective on April 11, 2025. Petitions for stay must be filed by March 24, 2025. Petitions to reopen must be filed by April 1, 2025.

4. NFIR's lease and operation exemption in Docket No. FD 36824 will be effective on April 11, 2025. Petitions for stay must be filed by April 1, 2025.

Decided: March 12, 2025.

By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.

Eden Besera,

Clearance Clerk.

[FR Doc. 2025–04302 Filed 3–17–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Special Projects Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Special Projects Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Thursday, April 10, 2025.

FOR FURTHER INFORMATION CONTACT: Kelvin Johnson at 1–888–912–1227 or 504–202–9679.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that an open meeting of the Taxpayer Advocacy Panel's Special Projects Committee will be held Thursday, April 10, 2025, at 11 a.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Antoinette Ross. For more information please contact Kelvin Johnson at 1–888–912–1227 or 504–202–9679, or write TAP Office, 1555 Poydras Street, Suite 12 New Orleans, LA 70112 or contact us at the website: *http://www.improveirs.org.* The agenda includes a committee discussion involving new and old issues and starting a new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04307 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Tax Forms and Publications Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Tax Forms and Publications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Tuesday, April 8, 2025.

FOR FURTHER INFORMATION CONTACT: Ann Tabat at 1–888–912–1227 or (602) 636–9143.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that a meeting of the Taxpayer Advocacy Panel's Tax Forms and Publications Project Committee will be held Tuesday, April 8, 2025, at 2 p.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Ann Tabat. For more information, please contact Ann Tabat at 1–888–912–1227 or (602) 636–9143, or write TAP Office, 4041 N Central Ave., Phoenix, AZ 85012 or contact us at the website: *http://www.improveirs.org.* The agenda will include new and old referrals and starting the new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel

[FR Doc. 2025–04303 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Assistance Center Improvements Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Wednesday, April 9, 2025.

FOR FURTHER INFORMATION CONTACT: Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that an open meeting of the Taxpayer Advocacy Panel's Taxpayer Assistance Center Improvements (TAC) Project Committee will be held Wednesday, April 9, 2025, at 1 p.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Matthew O'Sullivan. For more information please contact Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274, or write TAP Office, 1301 Clay Street, Oakland, CA 94612–5217 or contact us at the website: *http://www.improveirs.org.* The agenda includes new and old issues to start out the new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04306 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Communications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Thursday, April 10, 2025.

FOR FURTHER INFORMATION CONTACT: Jose Cintron-Santiago at 1–888–912–1227 or 787–522–8607.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that a meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee will be held Thursday, April 10, 2025, at 2 p.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Jose Cintron-Santiago. For more information, please contact Jose Cintron-Santiago at 1–888–912–1227 or 787–522–8607, or write TAP Office, 48 Carr 165 Suite 2000, Guaynabo, PR 00968–8000 or contact us at the website: *http://www.improveirs.org.* The agenda includes a committee discussion involving new and old issues and starting the new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04308 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Art Advisory Panel—Notice of Closed Meeting

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of closed meeting of Art Advisory Panel.

SUMMARY: Closed meeting of the Art Advisory Panel will be held in New York, NY or virtually via Microsoft Teams. The entire meeting will be closed.

DATES: The meeting will begin at 10:30 a.m. eastern time. The meeting will be held April 17, 2025.

ADDRESSES: The closed meeting of the Art Advisory Panel will be held at 290 Broadway—Foley Square, New York, NY 10007 or virtually via *Microsoft Teams.*

FOR FURTHER INFORMATION CONTACT: Valeria B. Farr, 400 North Eighth Street, Richmond, VA 23219. Telephone (804) 916–8941 (not a toll-free number).

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. 1009, that a closed meeting of the Art Advisory Panel will be held at 290 Broadway—Foley Square, New York, NY 10007.

The agenda will consist of the review and evaluation of the acceptability of fair market value appraisals of works of art involved in Federal income, estate, or gift tax returns. This will involve the discussion of material in individual tax returns made confidential by the provisions of 26 U.S.C. 6103.

A determination as required by section 10(d) of the Federal Advisory Committee Act has been made that this meeting is concerned with matters listed in sections 552b(c)(3), (4), (6), and (7), of the Government in the Sunshine Act, and that the meeting will not be open to the public.

Elizabeth P. Askey,

Chief, Independent Office of Appeals.

[FR Doc. 2025–04399 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Tuesday, April 8, 2025.

FOR FURTHER INFORMATION CONTACT: Rosalind Matherne at 1–888–912–1227 or 202–317–4115.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that an open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Lines Project Committee will be held Tuesday, April 8, 2025, at 1 p.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Rosalind Matherne. For more information, please contact Rosalind Matherne at 1–888–912–1227 or 202–317–4115, or write TAP Office, 1111 Constitution Ave. NW, Room 1509, Washington, DC 20224 or contact us at the website: *http://www.improveirs.org.* The agenda includes a committee discussion new and old issues and starting the new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04304 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will be held via teleconference.

DATES: The meeting will be held Wednesday, April 9, 2025.

FOR FURTHER INFORMATION CONTACT: Robert Rosalia at 1–888–912–1227 or (718) 834–2203.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that an open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee will be held Wednesday, April 9, 2025, at 11 a.m. eastern time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Robert Rosalia. For more information, please contact Robert Rosalia at 1–888–912–1227 or (718) 834–2203, or write TAP Office, 2 Metrotech Center, 100 Myrtle Avenue, Brooklyn, NY 11201 or contact us at the website: *http://www.improveirs.org.* The agenda will include a committee discussion about new and old issues and starting out the new TAP year.

Dated: March 12, 2025.

Shawn Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04305 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning the funding relief for multiemployer defined benefit pension plans under the American Rescue Plan Act of 2021.

DATES: Written comments should be received on or before May 19, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB control number 1545–2300 or Funding relief for multiemployer defined benefit pension plans under the American Rescue Plan Act of 2021, in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the notice should be directed to Kerry Dennis at (202) 317–5751, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Kerry.L.Dennis@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Funding relief for multiemployer defined benefit pension plans under the American Rescue Plan Act of 2021.

OMB Number: 1545–2300.

Notice Number: 2021–57.

Abstract: The American Rescue Plan Act of 2021 (ARP), Public Law 117–2, sections 9701, 9702, and 9703 provide elective funding relief for multiemployer defined benefit pension plans to address the continued impact of COVID–19. This notice provides guidance for sponsors of multiemployer defined benefit pension plans on the elections under sections 9701 and 9702 of the ARP Act, and the relief provided under section 9703 of the ARP Act, relating to Internal Revenue Code (IRC) sections 431 and 432.

Current Actions: There are no changes to the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses and other for-profit organizations, and not-for-profit institutions.

Estimated Number of Respondents: 937.

Estimated Time per Respondent: 58 minutes.

Estimated Total Annual Burden Hours: 896.

The following paragraph applies to all the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained if their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 12, 2025.

Kerry L. Dennis,

Tax Analyst.

[FR Doc. 2025–04398 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Collection Activities; Requesting Comments on Form 56 and Form 56–F

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction

Act of 1995. The IRS is soliciting comments concerning Form 56, Notice Concerning Fiduciary Relationship, and Form 56–F, Notice Concerning Fiduciary Relationship of Financial Institution.

DATES: Written comments should be received on or before May 19, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov*. Include OMB Control No. 1545–0013 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Jason Schoonmaker, (801) 620–2128, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jason.m.schoonmaker@irs.gov*.

SUPPLEMENTARY INFORMATION: The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: Notice Concerning Fiduciary Relationship and Notice Concerning Fiduciary Relationship of Financial Institution.

OMB Number: 1545–0013.

Form Number: 56 and 56–F.

Abstract: Form 56 is used to notify the IRS of the creation or termination of a fiduciary relationship under Internal Revenue Code (IRC) section 6903 and provide the qualification for the fiduciary relationship under IRC section 6036. Form 56–F is used by the federal agency acting as a fiduciary in order to notify the IRS of the creation, termination, or change in status of a fiduciary relationship with a financial institution.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, and individuals or households.

Estimated Number of Responses: 174,050.

Estimated Time per Respondent: 2 hours.

Estimated Total Annual Burden Hours: 349,786

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 13, 2025.

Jason M. Schoonmaker,

Tax Analyst.

[FR Doc. 2025–04417 Filed 3–17–25; 8:45 am]

BILLING CODE 4830–01–P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission. The Commission is mandated by Congress to investigate, assess, and report to Congress annually on ''the national security implications of the economic relationship between the United States and the People's Republic of China.'' Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on April 3, 2025 on ''The Rocket's Red Glare: China's Ambitions to Dominate Space.''

DATES: The hearing is scheduled for Thursday, April 3, 2025 at 9:30 a.m.

ADDRESSES: Members of the public will be able to attend in person at or near the U.S. Capitol and adjacent Congressional office buildings (specific building and room number to be announced) or view a live webcast via the Commission's website at *www.uscc.gov. Visit the Commission's website for updates to the hearing location or possible changes to the hearing schedule. Reservations are not required to view the hearing online or in person.*

FOR FURTHER INFORMATION CONTACT: Any member of the public seeking further information concerning the hearing should contact Jameson Cunningham, 444 North Capitol Street NW, Suite 602, Washington, DC 20001; telephone: 202–624–1496, or via email at *jcunningham@uscc.gov. Reservations are not required to attend the hearing.*

ADA Accessibility: For questions about the accessibility of the event or to request an accommodation, please contact Jameson Cunningham via email at *jcunningham@uscc.gov*. Requests for an accommodation should be made as soon as possible, and at least five business days prior to the event.

SUPPLEMENTARY INFORMATION:

Background: This is the fourth public hearing the Commission will hold during its 2025 reporting cycle. The hearing will examine China's growing space power and implications of China's space activities for U.S.-China strategic competition. Next, the hearing will review China's military space and counterspace capabilities, along with its civil space activities and scientific achievements. The hearing will also explore China's commercial space industry and assess the risks and implications of China's space capabilities and exploration for the United States.

The hearing will be co-chaired by Commissioner Michael Kuiken and Commissioner Cliff Sims. Any interested party may file a written statement by April 3, 2025 by transmitting to the contact above. A portion of the hearing will include a question and answer period between the Commissioners and the witnesses.

Authority: Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Public Law 106–398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7), as amended by Public Law 109–108 (November 22, 2005), as amended by Public Law 113–291 (December 19, 2014).

Dated: March 13, 2025.

Christopher P. Fioravante,

Deputy Executive Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2025–04436 Filed 3–17–25; 8:45 am]

BILLING CODE 1137–00–P

FEDERAL REGISTER

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Part II

Department of Commerce

National Oceanic and Atmospheric Administration

50 CFR Part 679

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2025 and 2026 Harvest Specifications for Groundfish; Final Rule

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0036]

RTID 0648–XE346

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2025 and 2026 Harvest Specifications for Groundfish

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

ACTION: Final rule; harvest specifications and closures.

SUMMARY: NMFS announces the final 2025 and 2026 harvest specifications, apportionments, and prohibited species catch (PSC) allowances for the groundfish fishery of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to establish harvest limits for groundfish during the remainder of the 2025 and the start of the 2026 fishing years and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the BSAI (FMP). The intended effect of this action is to conserve and manage the groundfish resources in the BSAI in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Harvest specifications and closures are effective from 1200 hours, Alaska local time (A.l.t.), March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.

ADDRESSES: Electronic copies of the Alaska Groundfish Harvest Specifications Final Environmental Impact Statement (Final EIS), Record of Decision (ROD), and the annual Supplementary Information Reports (SIR) to the Final EIS prepared for this action are available from *https://www.fisheries.noaa.gov/region/alaska.* The 2024 Stock Assessment and Fishery Evaluation (SAFE) report for the groundfish resources of the BSAI, dated November 2024, as well as the SAFE reports for previous years, are available from the North Pacific Fishery Management Council (Council) at 1007 West Third Ave., Suite 400, Anchorage, AK 99501, phone 907–271–2809, or from the Council's website at *https://www.npfmc.org/,* and the Alaska Fisheries Science Center website at *https://www.fisheries.noaa.gov/alaska/population-assessments/north-pacific-groundfish-stock-assessments-and-fishery-evaluation.*

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

SUPPLEMENTARY INFORMATION: Federal regulations at 50 CFR part 679 implement the FMP and govern the groundfish fisheries in the BSAI. The Council prepared, and NMFS approved, the FMP pursuant to the Magnuson-Stevens Act. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

The FMP and its implementing regulations require NMFS, after consultation with the Council, to specify annually the overfishing limit (OFL), acceptable biological catch (ABC), and total allowable catch (TAC) for each target species. The sum of all TACs for target groundfish species in the BSAI must be within the optimum yield (OY) range of 1.4 million to 2.0 million metric tons (mt) (see § 679.20(a)(1)(i)(A) and 679.20(a)(2)). This final rule specifies the sum of the TACs at 2.0 million mt for 2025 and 2.0 million mt for 2026. NMFS also must specify: (1) apportionments of TACs; (2) PSC limits and prohibited species quota (PSQ) reserves established by § 679.21; (3) seasonal allowances of pollock, Pacific cod, and Atka mackerel TAC; (4) American Fisheries Act (AFA) allocations; (5) Amendment 80 allocations; (6) Community Development Quota (CDQ) reserve amounts established by § 679.20(b)(1)(ii); (7) ABC surpluses and ABC reserves for CDQ groups and any Amendment 80 cooperatives for flathead sole, rock sole, and yellowfin sole; and (8) halibut discard mortality rates (DMR). The final harvest specifications set forth in tables 1 through 25 of this action satisfy these requirements.

Section 679.20(c)(3)(i) further requires that NMFS consider public comment on the proposed harvest specifications and, after consultation with the Council, publish final harvest specifications in the **Federal Register**. The proposed 2025 and 2026 harvest specifications for the groundfish fishery of the BSAI were published in the **Federal Register** on December 4, 2024 (89 FR 96186). Comments were invited and accepted through January 3, 2025. As discussed in the Response to Comments section below, NMFS received three letters raising 19 distinct comments during the public comment period for the proposed BSAI groundfish harvest specifications. NMFS's responses are included in the Response to Comments section below.

NMFS consulted with the Council on the final 2025 and 2026 harvest specifications during the December 2024 Council meeting. After considering public comments during public meetings and submitted for the proposed rule (89 FR 96186, December 4, 2024), as well as current biological, ecosystem, socioeconomic, and harvest data, NMFS implements in this final rule the final 2025 and 2026 harvest specifications as recommended by the Council.

ABC and TAC Harvest Specifications

The final ABC amounts for BSAI groundfish are based on the best available biological information, including projected biomass trends, information on assumed distribution of stock biomass, and revised technical methods used to calculate stock biomass. In general, the development of OFLs and ABCs involves sophisticated statistical analyses of fish populations. The FMP specifies a series of six tiers to define OFL and ABC amounts based on the level of reliable information available to fishery scientists. Tier 1 represents the highest level of information quality available, while Tier 6 represents the lowest.

In December 2024, the Council, its Scientific and Statistical Committee (SSC), and its Advisory Panel (AP) reviewed current biological, ecosystem, socioeconomic, and harvest information about the condition of the BSAI groundfish stocks. The Council's BSAI Groundfish Plan Team (Plan Team) compiled and presented this information in the 2024 SAFE report for the BSAI groundfish fisheries, dated November 2024 (see **ADDRESSES**). The SAFE report contains a review of the latest scientific analyses and estimates of each species' biomass and other biological parameters, as well as summaries of the available information on the BSAI ecosystem and the economic condition of groundfish fisheries off Alaska. NMFS notified the public of the comment period for these harvest specifications—and of the publication of the 2024 SAFE report—in the proposed harvest specifications (89 FR 96186, December 4, 2024). From the data and analyses in the SAFE report, the Plan Team recommended an OFL and ABC for each species and species group at the November 2024 Plan Team meeting.

In December 2024, the SSC, AP, and Council reviewed the Plan Team's recommendations. The final TAC recommendations were based on the ABCs recommended by the SSC, and were adjusted for other biological and socioeconomic considerations, including the maintenance of the sum of all the TACs within the required OY

range of 1.4 million to 2.0 million mt. As required by National Standard 1 regulations (50 CFR 600.310) and the annual catch limit rules for all fisheries (74 FR 3178, January 16, 2009) and consistent with the FMP, none of the Council's recommended 2025 or 2026 TACs exceed the final 2025 or 2026 ABCs for any species or species group. NMFS finds that the Council's recommended OFLs, ABCs, and TACs are consistent with the preferred harvest strategy outlined in the FMP, as well as the Final EIS and ROD, and the biological condition of groundfish stocks as described in the 2024 SAFE report that was approved by the Council, while accounting for ecosystem, socioeconomic, and harvest information presented in the 2024 SAFE report (which includes the Ecosystem Status Reports (ESR)).

NMFS has reviewed the recommendations of the SSC and Council for OFLs, ABCs, and TACs for target species and species groups in the BSAI as well as any other relevant information. Based on that review, NMFS is specifying the OFLs, ABCs, and TACs set forth in the tables of this final rule as consistent with the Magnuson-Stevens Act, the FMP, and other applicable law. Therefore, this final rule provides notification that the Secretary of Commerce approves the final 2025 and 2026 harvest specifications as recommended by the Council.

The 2025 harvest specifications set in this final action supersede the 2025 harvest specifications previously set in the final 2024 and 2025 harvest specifications (89 FR 17287, March 11, 2024). Pursuant to this final action, the 2025 harvest specifications are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025, and the 2026 harvest specifications are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

Other Actions Affecting the 2025 and 2026 Harvest Specifications

Amendment 125 to the FMP: Pacific Cod Small Boat Access

NMFS is developing a proposed rule to implement Amendment 125 to the FMP, which, if approved, would revise the BSAI Pacific cod jig sector during the A-season (January 1–April 30) to include hook-and-line or pot CV less than or equal to 55 feet (ft) (16.8 meters (m)) length overall (LOA). All harvest from the revised A-season jig sector would be deducted from the jig sector's 1.4 percent allocation currently set in regulation (§ 679.20(a)(7)(ii)). In addition, the current hook-and-line or pot CV less than 60 ft (18.3 m) LOA sector would be redefined from January 1 to April 30 so that harvest only from hook-and-line or pot CVs with a LOA more than 55 ft (16.8 m) and less than 60 ft LOA (55–59 ft) (16.8–18.0 m) would be deducted from the hook-and-line or pot CV less than 60 ft (18.3 m) LOA sector's 2.0 percent allocation currently set in regulation (§ 679.20(a)(7)(ii)). If amendment 125 and its implementing regulations are approved by the Secretary of Commerce, NMFS would incorporate the changes in a future harvest specifications action, and any such changes are anticipated for the 2026 and 2027 harvest specifications.

State of Alaska Guideline Harvest Levels

For 2025 and 2026, the Alaska Board of Fisheries (BOF) established the guideline harvest level (GHL) for vessels using pot, longline, jig, and hand troll gear in the State of Alaska's (State) Aleutian Islands (AI) sablefish registration area that includes all State waters west of Scotch Cap Light (164° 44.72′ W longitude) and south of Cape Sarichef (54°36′ N latitude). The 2025 AI GHL is set at 5 percent (1,238 mt) of the combined 2025 Bering Sea subarea (BS) and AI subarea ABC (mt). The 2026 AI GHL is set at 5 percent (1,223 mt) of the combined 2026 BS subarea and AI subarea ABC. The State's AI sablefish registration area includes areas adjacent to parts of the Federal BS subarea. The Council and its Plan Team, SSC, and AP recommended that the sum of all State and Federal waters sablefish removals from the BS and AI not exceed the ABC recommendations for sablefish in the BS and AI. Accordingly, after reviewing the Council recommendations, NMFS approves that the 2025 and 2026 sablefish TACs in the BS and AI account for the State's GHLs for sablefish caught in State waters.

For 2025 and 2026, the BOF for the State established the GHL for vessels using pot gear in State waters in the BS equal to 13 percent of the Pacific cod ABC in the BS. Under the State's management plan, the BS GHL will increase by 1 percent if 90 percent of the GHL is harvested by November 15 of the preceding year for two consecutive years but may not exceed 15 percent of the BS ABC. If 90 percent of the GHL is not harvested by November 15 of the preceding year for two consecutive years, the GHL will decrease by 1 percent, but the GHL may not decrease below 10 percent of the BS ABC. For 2025, the BS Pacific cod ABC is 153,617 mt, and for 2026, it is 141,520 mt. Based on the preceding years' harvests in the State fishery, the GHL in the BS for pot gear will be 13 percent for 2025 (19,970 mt) and is projected to be 13 percent for 2026 (18,398 mt). For 2025 and 2026, the BOF established an additional GHL for vessels using jig gear in State waters in the BS equal to 45 mt of Pacific cod in the BS. The Council and its Plan Team, SSC, and AP recommended that the sum of all State and Federal waters Pacific cod removals from the BS not exceed the ABC recommendations for Pacific cod in the BS. Accordingly, after reviewing the Council recommendations, NMFS approves that the 2025 and 2026 Pacific cod TACs in the BS account for the State's GHLs for Pacific cod caught in State waters in the BS.

For 2025 and 2026, the BOF established the GHL for Pacific cod in State waters in the AI equal to 35 percent of the AI ABC. Under the State's management plan, the AI GHL will increase annually by 4 percent of the AI ABC if 90 percent of the GHL is harvested by November 15 of the preceding year, but may not exceed 39 percent of the AI ABC or 15 million pounds (6,804 mt). If 90 percent of the GHL is not harvested by November 15 of the preceding year for two consecutive years, the GHL will decrease by 4 percent, but the GHL may not decrease below 15 percent of the AI ABC. Based on the preceding years' harvests in the State fishery, for 2025 the GHL in the AI will be 35 percent of the AI ABC, which is 4,682 mt, and for 2026 is projected to be 35 percent of the AI ABC, which is 4,541 mt. The Council and its Plan Team, SSC, and AP recommended that the sum of all State and Federal waters Pacific cod removals from the AI not exceed the ABC recommendations for Pacific cod in the AI. Accordingly, after reviewing the Council's recommendations, NMFS approves that the 2025 and 2026 Pacific cod TACs in the AI account for the State's GHLs for Pacific cod caught in State waters in the AI.

Changes From the Proposed 2025 and 2026 Harvest Specifications for the BSAI

In October 2024, the Council's recommendations for the proposed 2025 and 2026 harvest specifications (89 FR 96186, December 4, 2024) were based on information contained in the 2023 SAFE report for the BSAI groundfish fisheries, dated November 2023. In October 2024, the Council recommended that proposed 2025 and 2026 OFLs and ABCs be based on rollovers of the 2025 amounts from the final 2024 and 2025 harvest specifications (89 FR 17287, March 11, 2024). In making this

recommendation, the Council used the best information available from the 2023 stock assessments until the 2024 SAFE report could be completed.

In December 2024, the Council's recommendations for the final 2025 and 2026 harvest specifications were based on information contained in the 2024 SAFE report for the BSAI groundfish fisheries, dated November 2024. The SAFE report contains a review of the latest scientific analyses and estimates of each species' biomass and other biological parameters, as well as summaries of the available information on the BSAI ecosystem, including the stock-specific risk tables and information from the BS ESR and AI ESR.

The ESRs compile and summarize information about the status of the Alaska marine ecosystems for the Plan Team, SSC, AP, Council, NMFS, and the public. These ESRs are updated annually and include ecosystem report cards, ecosystem assessments, and ecosystem status indicators (*i.e.,* climate indices, sea surface temperature), which together provide context for ecosystem-based fisheries management in Alaska. The ESRs inform stock assessments and are integrated in the annual harvest recommendations through inclusion in stock assessments, including stock-specific risk tables. The ESRs provide context for the SSC's recommendations for OFLs and ABCs, as well as for the Council's TAC recommendations. The SAFE reports and the ESRs are presented to the Plan Team and at the October and December Council meetings before the SSC, AP, and Council make groundfish harvest recommendations and they aid NMFS in implementing these annual groundfish harvest specifications.

The SAFE report also includes information on the economic condition of the groundfish fisheries off Alaska through the Economic Status Report. The SAFE report provides information to the Council and NMFS for recommending and setting, respectively, annual harvest levels for each stock, and documenting significant trends or changes in the resource, marine ecosystems, and fisheries over time. From these data and analyses, the Plan Team recommends, and the SSC sets, an OFL and ABC for each species and species group.

The AP and Council review the recommended OFLs and ABCs and recommend TACs for each species and species group such that TACs do not exceed ABCs and ABCs do not exceed OFLs. The Council recommended a final 2025 BS pollock TAC that is an increase of 50,000 mt from the proposed 2025 BS pollock TAC. The Council recommended a final 2026 BS pollock TAC that is an increase of 50,000 mt from the proposed 2026 BS pollock TAC. The Council also recommended to increase the BS Pacific cod TAC by 2,385 mt in 2025 and to decrease the TAC by 8,140 mt in 2026 from the proposed TAC to match changes in ABC for BS Pacific cod. The largest reduction was for yellowfin sole, which was reduced from the proposed rule by 60,000 mt in 2025 and by 50,000 mt in 2026 due to weakening market demand for yellowfin sole. In terms of tonnage, the Council reduced their recommended final TACs from the proposed TACs for several species of lower economic value to maintain an overall total TAC within the required OY range of 1.4 to 2.0 million mt. Some species, such as Atka mackerel, are economically valuable species whose ABC increased in 2025, which allowed most of the 2025 TACs to increase as well. Others, such as Alaska plaice and skates, have decreased TACs due to anticipated decreased incidental catches in other fisheries. Central Aleutian Island (CAI) Atka mackerel had the largest increase in 2025 in terms of percentage, while Greenland turbot had the largest decrease in 2025 and 2026 due to a declining ABC. The changes to TACs between the proposed and final harvest specifications are based on the most recent scientific, biological, and socioeconomic information and are consistent with the FMP, regulatory obligations, and the harvest strategy from the Final EIS and ROD as described in the proposed and final harvest specifications, including the required OY range of 1.4 million to 2.0 million mt. These changes are compared in table A.

Table 1 lists the final 2025 OFL, ABC, TAC, initial TAC (ITAC), CDQ reserve allocations, and non-specified reserves of the BSAI groundfish species and species groups; and table 2 lists the final 2026 OFL, ABC, TAC, ITAC, CDQ reserve allocations, and non-specified reserves of the BSAI groundfish species and species groups. These final 2025 and 2026 TAC amounts for the BSAI are within the OY range established for the BSAI and do not exceed the ABC for any species or species group. These final 2025 and 2026 ABCs do not exceed the OFL for any species or species group. The apportionment of TAC amounts among fisheries and seasons is discussed below.

TABLE 1—FINAL 2025 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), CDQ RESERVE ALLOCATION, AND NONSPECIFIED RESERVES OF GROUNDFISH IN THE BSAI [1]

[Amounts are in metric tons]

Species	Area	2025					
		OFL	ABC	TAC	ITAC [2]	CDQ [3]	Nonspecified reserves
Pollock [4]	BS	2,957,000	2,417,000	1,375,000	1,237,500	137,500	
	AI	55,728	46,051	19,000	17,100	1,900	
	Bogoslof	77,354	58,015	250	250		
Pacific cod [5]	BS	183,509	153,617	133,602	119,306	14,295	
	AI	16,782	13,376	8,694	7,764	930	
Sablefish [6]	Alaska-wide	58,532	47,605	n/a	n/a	n/a	
	BS	n/a	13,203	8,496	7,009	1,168	319
	AI	n/a	11,566	7,940	6,451	1,340	149
Yellowfin sole	BSAI	299,247	262,557	135,000	120,555	14,445	
Greenland turbot	BSAI	2,598	1,678	1,678	1,426	n/a	
	BS	n/a	1,415	1,415	1,203	151	61
	AI	n/a	263	263	224		39
Arrowtooth flounder	BSAI	104,428	88,683	14,000	11,900	1,498	602
Kamchatka flounder	BSAI	8,019	6,800	6,800	5,780		1,020
Rock sole [7]	BSAI	165,444	157,487	75,000	66,975	8,025	
Flathead sole [8]	BSAI	101,621	83,807	36,000	32,148	3,852	
Alaska plaice	BSAI	34,576	28,745	15,903	13,518		2,385
Other flatfish [9]	BSAI	26,083	19,562	4,500	3,825		675
Pacific ocean perch	BSAI	44,594	37,375	33,458	29,443	n/a	

TABLE 1—FINAL 2025 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), CDQ RESERVE ALLOCATION, AND NONSPECIFIED RESERVES OF GROUNDFISH IN THE BSAI [1]—Continued

[Amounts are in metric tons]

Species	Area	2025					
		OFL	ABC	TAC	ITAC [2]	CDQ [3]	Nonspecified reserves
	BS	n/a	10,121	10,121	8,603		1,518
	EAI	n/a	6,278	6,278	5,606	672	
	CAI	n/a	5,559	5,559	4,964	595	
	WAI	n/a	15,417	11,500	10,270	1,231	
Northern rockfish	BSAI	22,848	18,694	12,000	10,200		1,800
Blackspotted/Rougheye rockfish [10]	BSAI	838	706	706	600		106
	BS/EAI	n/a	408	408	347		61
	CAI/WAI	n/a	298	298	253		45
Shortraker rockfish	BSAI	631	473	473	402		71
Other rockfish [11]	BSAI	1,406	1,054	1,054	896		158
	BS	n/a	639	639	543		96
	AI	n/a	415	415	353		62
Atka mackerel	BSAI	122,622	103,247	82,000	73,226	8,774	
	BS/EAI	n/a	46,650	39,000	34,827	4,173	
	CAI	n/a	26,511	24,443	21,828	2,615	
	WAI	n/a	30,087	18,557	16,571	1,986	
Skates	BSAI	44,086	36,523	27,646	23,499		4,147
Sharks	BSAI	689	450	400	340		60
Octopuses	BSAI	6,080	4,560	400	340		60
Total		4,334,715	3,588,065	2,000,000	1,790,454	196,367	13,166

Note: Regulatory areas and districts are defined at § 679.2 (BSAI = Bering Sea and Aleutian Islands management area, BS = Bering Sea subarea, AI = Aleutian Islands subarea, EAI = Eastern Aleutian district, CAI = Central Aleutian district, WAI = Western Aleutian district). The 2025 harvest specifications are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea subarea (BS) includes the Bogoslof District.

[2] Except for pollock, the portion of the sablefish TAC allocated to fixed gear, and Amendment 80 species (Atka mackerel, yellowfin sole, rock sole, flathead sole, Pacific cod, and AI Pacific ocean perch), 15 percent of each TAC is placed into a non-specified reserve (§ 679.20(b)(1)(i)). The ITAC for these species is the remainder of the TAC after the subtraction of these reserves. For pollock and Amendment 80 species, ITAC is the non-CDQ allocation of TAC (see footnotes 3 and 4).

[3] For the Amendment 80 species (Atka mackerel, yellowfin sole, rock sole, flathead sole, Pacific cod, and AI Pacific ocean perch), 10.7 percent of the TAC is reserved for use by CDQ participants (see § 679.20(b)(1)(ii)(C)). Twenty percent of the sablefish TAC allocated to fixed gear, 7.5 percent of the sablefish TAC allocated to trawl gear, and 10.7 percent of the TACs for BS Greenland turbot and arrowtooth flounder are reserved for use by CDQ participants (see § 679.20(b)(1)(ii)(B) and (D)). AI Greenland turbot, ''other flatfish,'' Alaska plaice, BS Pacific ocean perch, Kamchatka flounder, northern rockfish, blackspotted/rougheye rockfish, shortraker rockfish, ''other rockfish,'' skates, sharks, and octopuses are not allocated to the CDQ Program.

[4] Under § 679.20(a)(5)(i)(A), the annual BS pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance, is further allocated by sector for a pollock directed fishery as follows: inshore—50 percent; catcher/processor (CP)—40 percent; and motherships—10 percent. Section 679.20(a)(5)(iii)(B)(*1*) requires the AI pollock TAC to be set at 19,000 mt when the AI pollock ABC equals or exceeds 19,000 mt. Under § 679.20(a)(5)(iii)(B)(*2*), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance, is allocated to the Aleut Corporation for a pollock directed fishery. The Bogoslof pollock TAC is set to accommodate incidental catch amounts.

[5] The BS Pacific cod TAC is set to account for the 13 percent, plus 45 mt, of the BS ABC for the State of Alaska's (State) guideline harvest level in State waters of the BS. The AI Pacific cod TAC is set to account for 35 percent of the AI ABC for the State guideline harvest level in State waters of the AI.

[6] The sablefish OFL and ABC are Alaska-wide and include the Gulf of Alaska. The Alaska-wide sablefish OFL and ABC are included in the total OFL and ABC. The BS and AI sablefish TACs are set to account for the 5 percent of the BS and AI ABC for the State of Alaska's (State) guideline harvest level in State waters of the BS and AI.

[7] ''Rock sole'' includes *Lepidopsetta polyxystra* (northern rock sole) and *Lepidopsetta bilineata* (southern rock sole).

[8] ''Flathead sole'' includes *Hippoglossoides elassodon* (flathead sole) and *Hippoglossoides robustus* (Bering flounder).

[9] ''Other flatfish'' includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

[10] ''Blackspotted/Rougheye rockfish'' includes *Sebastes melanostictus* (blackspotted) and *Sebastes aleutianus* (rougheye).

[11] ''Other rockfish'' includes all *Sebastes* and *Sebastolobus* species except for dark rockfish, Pacific ocean perch, northern rockfish, blackspotted/rougheye rockfish, and shortraker rockfish.

TABLE A—COMPARISON OF FINAL 2025 AND 2026 WITH PROPOSED 2025 AND 2026 TOTAL ALLOWABLE CATCH IN THE BSAI

[Amounts are in metric tons]

Species	Area [1]	2025 and 2026 proposed TAC	2025 final TAC	2025 difference from proposed	2025 percentage difference from proposed	2026 final TAC	2026 difference from proposed	2026 percentage difference from proposed
Pollock	BS	1,325,000	1,375,000	50,000	3.8	1,375,000	50,000	3.8
	AI	19,000	19,000			19,000		0.0
	Bogoslof	250	250			250		0.0
Pacific cod	BS	131,217	133,602	2,384.79	1.8	123,077	(8,139.60)	(6.2)
	AI	8,080	8,694	614.25	7.6	8,432	352.30	4.4
Sablefish	BS	9,500	8,496	(1,004)	(10.6)	8,996	(504)	(5.3)
	AI	8,440	7,940	(500)	(5.9)	7,440	(1,000)	(11.8)
Yellowfin sole	BSAI	195,000	135,000	(60,000)	(30.8)	145,000	(50,000)	(25.6)
Greenland turbot	BS	2,310	1,328	(982)	(42.5)	1,120	(1,190)	(51.5)
	AI	430	263	(167)	(38.8)	208	(222)	(51.6)
Arrowtooth flounder	BSAI	14,000	14,000			14,000		0.0
Kamchatka flounder	BSAI	7,360	6,800	(560)	(7.6)	6,606	(754)	(10.2)
Rock sole	BSAI	66,000	75,000	9,000	13.6	75,000	9,000	13.6
Flathead sole	BSAI	35,500	36,000	500	1.4	36,000	500	1.4
Alaska plaice	BSAI	20,000	15,903	(4,097)	(20.5)	16,200	(3,800)	(19.0)

TABLE A—COMPARISON OF FINAL 2025 AND 2026 WITH PROPOSED 2025 AND 2026 TOTAL ALLOWABLE CATCH IN THE BSAI—Continued

[Amounts are in metric tons]

Species	Area [1]	2025 and 2026 proposed TAC	2025 final TAC	2025 difference from proposed	2025 percentage difference from proposed	2026 final TAC	2026 difference from proposed	2026 percentage difference from proposed
Other flatfish	BSAI	4,500	4,500			4,500		0.0
Pacific ocean perch	BS	11,430	10,121	(1,309)	(11.5)	9,905	(1,525)	(13.3)
	EAI	7,828	6,278	(1,550)	(19.8)	6,144	(1,684)	(21.5)
	CAI	5,423	5,559	136	2.5	5,441	18	0.3
	WAI	12,500	11,500	(1,000)	(8.0)	12,000	(500)	(4.0)
Northern rockfish	BSAI	15,000	12,000	(3,000)	(20.0)	12,000	(3,000)	(20.0)
Blackspotted and Rougheye rockfish	BS/EAI	412	408	(4)	(1.0)	441	29	7.0
	CAI/WAI	195	298	103	52.8	325	130	66.7
Shortraker rockfish	BSAI	530	473	(57)	(10.8)	473	(57)	(10.8)
Other rockfish	BS	880	639	(241)	(27.4)	639	(241)	(27.4)
	AI	380	415	35	9.2	415	35	9.2
Atka mackerel	EAI/BS	30,000	39,000	9,000	30.0	41,731	11,731	39.1
	CAI	14,877	24,443	9,566	64.3	23,716	8,839	59.4
	WAI	21,288	18,557	(2,731)	(12.8)	17,494	(3,793.90)	(17.8)
Skates	BSAI	30,361	27,646	(2,715)	(8.9)	27,646	(2,715)	(8.9)
Sharks	BSAI	400	400			400		0.0
Octopuses	BSAI	400	400			400		0.0
Total		1,998,491	2,000,000	1,509	0.1	2,000,000	1,508.85	0.1

[1] Bering Sea subarea (BS), Aleutian Islands subarea (AI), Bering Sea and Aleutian Islands management area (BSAI), Eastern Aleutian District (EAI), Central Aleutian District (CAI), and Western Aleutian District (WAI).

TABLE 2—FINAL 2026 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), CDQ RESERVE ALLOCATION, AND NONSPECIFIED RESERVES OF GROUNDFISH IN THE BSAI [1]

[Amounts are in metric tons]

Species	Area	2026					
		OFL	ABC	TAC	ITAC [2]	CDQ [3]	Nonspecified reserves
Pollock [4]	BS	2,496,000	2,036,000	1,375,000	1,237,500	137,500	
	AI	56,231	46,437	19,000	17,100	1,900	
	Bogoslof	77,354	58,015	250	250		
Pacific cod [5]	BS	169,243	141,520	123,077	109,908	13,169	
	AI	16,273	12,973	8,432	7,530	902	
Sablefish [6]	Alaska-wide	57,797	47,008	n/a	n/a	n/a	
	BS	n/a	13,037	8,996	3,823	337	337
	AI	n/a	11,421	7,440	1,581	140	140
Yellowfin sole	BSAI	305,039	267,639	145,000	129,485	15,515	
Greenland turbot	BSAI	2,059	1,328	1,328	1,129	n/a	
	BS	n/a	1,120	1,120	952	120	48
	AI	n/a	208	208	177		31
Arrowtooth flounder	BSAI	102,472	87,035	14,000	11,900	1,498	602
Kamchatka flounder	BSAI	7,790	6,606	6,606	5,615		991
Rock sole [7]	BSAI	166,220	158,225	75,000	66,975	8,025	
Flathead sole [8]	BSAI	106,283	87,700	36,000	32,148	3,852	
Alaska plaice	BSAI	33,965	28,230	16,200	13,770		2,430
Other flatfish [9]	BSAI	26,083	19,562	4,500	3,825		675
Pacific ocean perch	BSAI	43,084	36,578	33,490	29,481	n/a	
	BS	n/a	9,905	9,905	8,419		1,486
	EAI	n/a	6,144	6,144	5,487	657	
	CAI	n/a	5,441	5,441	4,859	582	
	WAI	n/a	16,058	12,000	10,716	1,284	
Northern rockfish	BSAI	22,284	18,232	12,000	10,200		1,800
Blackspotted/Rougheye rockfish [10]	BSAI	902	766	766	651		115
	BS/EAI	n/a	441	441	375		66
	CAI/WAI	n/a	325	325	276		49
Shortraker rockfish	BSAI	631	473	473	402		71
Other rockfish [11]	BSAI	1,406	1,054	1,054	896		158
	BS	n/a	639	639	543		96
	AI	n/a	415	415	353		62
Atka mackerel	BSAI	107,889	92,361	82,941	74,066	8,875	
	EAI/BS	n/a	41,731	41,731	37,266	4,465	
	CAI	n/a	23,716	23,716	21,178	2,538	
	WAI	n/a	26,914	17,494	15,622	1,872	
Skates	BSAI	43,285	35,833	27,646	23,499		4,147
Sharks	BSAI	689	450	400	340		60
Octopuses	BSAI	6,080	4,560	400	340		60
Total		3,849,059	3,188,585	2,000,000	1,782,415	194,357	13,151

Note: Regulatory areas and districts are defined at § 679.2 (BSAI=Bering Sea and Aleutian Islands management area, BS=Bering Sea subarea, AI=Aleutian Islands subarea, EAI=Eastern Aleutian district, CAI=Central Aleutian district, WAI=Western Aleutian district). The 2026 harvest specifications are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea subarea (BS) includes the Bogoslof District.

[2] Except for pollock, the portion of the sablefish TAC allocated to fixed gear, and Amendment 80 species (Atka mackerel, yellowfin sole, rock sole, flathead sole, Pacific cod, and AI Pacific ocean perch), 15 percent of each TAC is put into a non-specified reserve (§ 679.20(b)(1)(i)). The ITAC for these species is the remainder of the TAC after the subtraction of these reserves. For pollock and Amendment 80 species, ITAC is the non-CDQ allocation of TAC (see footnotes 3 and 4).

[3] For the Amendment 80 species (Atka mackerel, yellowfin sole, rock sole, flathead sole, Pacific cod, and AI Pacific ocean perch), 10.7 percent of the TAC is reserved for use by CDQ participants (§ 679.20(b)(1)(ii)(C)). Twenty percent of the sablefish TAC allocated to fixed gear, 7.5 percent of the sablefish TAC allocated to trawl gear, and 10.7 percent of the TACs for BS Greenland turbot and arrowtooth flounder are reserved for use by CDQ participants (§ 679.20(b)(1)(ii)(B) and (D)). The 2026 fixed gear portion of the sablefish ITAC and CDQ reserve will not be specified until the final 2026 and 2027 harvest specifications. AI Greenland turbot, ''other flatfish,'' Alaska plaice, BS Pacific ocean perch, Kamchatka flounder, northern rockfish, blackspotted/rougheye rockfish, shortraker rockfish, ''other rockfish,'' skates, sharks, and octopuses are not allocated to the CDQ program.

[4] Under § 679.20(a)(5)(i)(A), the annual BS pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance, is further allocated by sector for a pollock directed fishery as follows: inshore—50 percent; CP—40 percent; and motherships—10 percent. Section 679.20(a)(5)(iii)(B)(*1*) requires the AI pollock TAC to be set at 19,000 mt when the AI pollock ABC equals or exceeds 19,000 mt. Under § 679.20(a)(5)(iii)(B)(*2*), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance, is allocated to the Aleut Corporation for a pollock directed fishery. The Bogoslof pollock TAC is set to accommodate incidental catch amounts.

[5] The BS Pacific cod TAC is set to account for the 13 percent, plus 45 mt, of the BS ABC for the State of Alaska's (State) guideline harvest level in State waters of the BS. The AI Pacific cod TAC is set to account for 35 percent of the AI ABC for the State guideline harvest level in State waters of the AI.

[6] The sablefish OFL and ABC are Alaska-wide and include the Gulf of Alaska. The Alaska-wide sablefish OFL and ABC are included in the total OFL and ABC. The BS and AI sablefish TACs are set to account for the 5 percent of the BS and AI ABC for the State of Alaska's (State) guideline harvest level in State waters of the BS and AI.

[7] ''Rock sole'' includes *Lepidopsetta polyxystra* (northern rock sole) and *Lepidopsetta bilineata* (southern rock sole).

[8] ''Flathead sole'' includes *Hippoglossoides elassodon* (flathead sole) and *Hippoglossoides robustus* (Bering flounder).

[9] ''Other flatfish'' includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

[10] ''Blackspotted/Rougheye rockfish'' includes *Sebastes melanostictus* (blackspotted) and *Sebastes aleutianu*s (rougheye).

[11] ''Other rockfish'' includes all *Sebastes* and *Sebastolobus* species except for dark rockfish, Pacific ocean perch, northern rockfish, blackspotted/rougheye rockfish, and shortraker rockfish.

Groundfish Reserves and the ICAs for Pollock, Atka Mackerel, Flathead Sole, Rock Sole, Yellowfin Sole, and AI Pacific Ocean Perch

Section 679.20(b)(1)(i) requires that NMFS reserve 15 percent of the TAC for each target species (except for pollock, fixed gear allocation of sablefish, and Amendment 80 species) in a non-specified reserve. Section 679.20(b)(1)(ii)(B) requires that NMFS allocate 20 percent of the fixed gear allocation of sablefish to the fixed-gear sablefish CDQ reserve for each subarea. Section 679.20(b)(1)(ii)(D) requires that NMFS allocate 7.5 percent of the trawl gear allocations of sablefish in the BS and AI and 10.7 percent of the BS Greenland turbot and arrowtooth flounder TACs to the respective CDQ reserves. Section 679.20(b)(1)(ii)(C) requires that NMFS allocate 10.7 percent of the TACs for the Amendment 80 species, which includes Atka mackerel, AI Pacific ocean perch, yellowfin sole, rock sole, flathead sole, and Pacific cod to the respective CDQ reserves.

Section 679.20(b)(1)(ii)(A) requires that 10 percent of the BS pollock TAC be allocated to the pollock CDQ directed fishing allowance (DFA). Section 679.20(b)(1)(ii)(A) requires that 10 percent of the AI pollock TAC be allocated to the pollock CDQ DFA. The entire Bogoslof District pollock TAC is allocated as an incidental catch allowance (ICA) pursuant to § 679.20(a)(5)(ii) because the Bogoslof District is closed to directed fishing for pollock by regulation (§ 679.22(a)(7)(B)). With the exception of the fixed gear sablefish CDQ reserve, the regulations do not further apportion the CDQ allocations by gear.

Pursuant to § 679.20(a)(5)(i)(A)(*1*), NMFS establishes a pollock ICA of 46,000 mt of the BS pollock TAC after subtracting the 10 percent CDQ DFA. This allowance is based on NMFS's examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock in the most recent years. Pursuant to § 679.20(a)(5)(iii)(B)(*2*), NMFS establishes a pollock ICA of 3,000 mt of the AI pollock TAC after subtracting the 10 percent CDQ DFA. This allowance is based on NMFS's examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock from recent years.

After subtracting the 10.7 percent CDQ reserve and pursuant to § 679.20(a)(8) and (10), NMFS allocates ICAs of 2,000 mt of flathead sole, 3,000 mt of rock sole, 2,000 mt of yellowfin sole, 10 mt of Western Aleutian district (WAI) Pacific ocean perch, 60 mt of CAI Pacific ocean perch, 100 mt of Eastern Aleutian district (EAI) Pacific ocean perch, 20 mt of WAI Atka mackerel, 100 mt of CAI Atka mackerel, and 800 mt of EAI and BS Atka mackerel. These ICAs are based on NMFS's examination of the incidental catch in other target fisheries from recent years.

The regulations do not designate the remainder of the non-specified reserve by species or species group. Any amount of the reserve may be apportioned to a target species that contributed to the non-specified reserves during the year, provided that such apportionments are consistent with § 679.20(a)(3) and do not result in overfishing (see § 679.20(b)(1)(i)). The Regional Administrator has determined that the ITACs specified for two species groups listed in tables 1 and 2 need to be supplemented from the non-specified reserve because U.S. fishing vessels have demonstrated the capacity to catch the full TAC allocations. Therefore, in accordance with § 679.20(b), NMFS is apportioning the amounts shown in table 3 from the non-specified reserve to increase the ITAC for AI ''other rockfish'' and blackspotted/rougheye rockfish in the CAI/WAI by 15 percent of their TACs in 2025 and 2026.

TABLE 3—FINAL 2025 AND 2026 APPORTIONMENT OF NON-SPECIFIED RESERVES TO ITAC CATEGORIES

[Amounts are in metric tons]

Species-area or subarea	2025 ITAC	2025 Reserve amount	2025 Final TAC	2026 ITAC	2026 Reserve amount	2026 Final TAC
Other rockfish-Aleutian Islands subarea	353	62	415	353	62	415
Blackspotted/Rougheye rockfish—CAI/WAI districts	253	45	298	276	49	325
Total	606	107	713	629	111	740

Note: The 2025 apportionments are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 apportionments are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

Allocation of Pollock TAC Under the AFA

Section 679.20(a)(5)(i)(A) requires that the BS pollock TAC be apportioned as a DFA, after subtracting 10 percent for the CDQ program and 46,000 mt for the ICA in both 2025 and 2026, as follows: 50 percent to the inshore sector, 40 percent to the catcher/processor (CP) sector, and 10 percent to the mothership sector. In the BS, 45 percent of the DFAs are allocated to the A season (January 20–June 10), and 55 percent of the DFAs are allocated to the B season (June 10–November 1) (§§ 679.20(a)(5)(i)(B)(*1*) and 679.23(e)(2)). The AI directed pollock fishery allocation to the Aleut Corporation is the amount of pollock TAC remaining in the AI after subtracting 10 percent (1,900 mt) for the CDQ DFA and 3,000 mt for the ICA (§ 679.20(a)(5)(iii)(B)(*2*)). In the AI, the total A season apportionment of the TAC (including the AI directed fishery allocation, the CDQ DFA, and the ICA) may not exceed 40 percent of the ABC for AI pollock, and the remainder of the TAC is allocated to the B season (§ 679.20(a)(5)(iii)(B)(*3*)). Tables 4 and 5 list these 2025 and 2026 amounts.

Section 679.20(a)(5)(iii)(B)(*6*) sets harvest limits for pollock in the A season (January 20 to June 10) in Areas 543, 542, and 541. In accordance with this regulation, NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the AI pollock ABC.

Section 679.20(a)(5)(i)(A)(*4*) also includes several specific requirements regarding BS pollock allocations. First, it requires that 8.5 percent of the pollock allocated to the CP sector be available for harvest by AFA CVs with CP sector endorsements, unless the Regional Administrator receives a cooperative contract that allows for the distribution of harvest among AFA CPs and AFA CVs in a manner agreed to by all members. Second, AFA CPs not listed in the AFA are limited to harvesting not more than 0.5 percent of the pollock allocated to the CP sector. Tables 4 and 5 list the 2025 and 2026 allocations of pollock TAC. Table 6 lists the 2025 inshore sector allocation among AFA inshore cooperatives and AFA open access vessels. The 2026 AFA CV cooperative membership will not be known until eligible participants apply for participation in the program by December 1, 2025. Table 21 lists the CDQ allocation of pollock among the CDQ groups. Tables 23, 24, and 25 list the AFA CP and CV harvesting and PSC sideboard limits.

Tables 4, 5, and 6 also list seasonal apportionments of pollock and harvest limits within the Steller Sea Lion Conservation Area (SCA). The harvest of pollock within the SCA, as defined at § 679.22(a)(7)(vii), is limited to no more than 28 percent of the annual pollock DFA before 12 p.m. A.l.t. (noon), April 1, as provided in § 679.20(a)(5)(i)(C). The A season pollock SCA harvest limit is apportioned to each sector in proportion to each sector's allocated percentage of the DFA.

TABLE 4—FINAL 2025 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA) [1]

[Amounts are in metric tons]

Area and sector	2025 Allocations	2025 A season [1]		2025 B season [1]
		A season DFA	SCA harvest limit [2]	B season DFA
Bering Sea subarea TAC [1]	1,375,000	n/a	n/a	n/a
CDQ DFA	137,500	61,875	38,500	75,625
ICA [1]	46,000	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA	1,191,500	536,175	333,620	655,325
AFA Inshore	595,750	268,088	166,810	327,663
AFA CPs [3]	476,600	214,470	133,448	262,130
Catch by CPs	436,089	196,240	n/a	239,849
Catch by CVs [3]	40,511	18,230	n/a	22,281
Unlisted CP Limit [4]	2,383	1,072	n/a	1,311
AFA Motherships	119,150	53,618	33,362	65,533
Excessive Harvesting Limit [5]	208,513	n/a	n/a	n/a
Excessive Processing Limit [6]	357,450	n/a	n/a	n/a
Aleutian Islands subarea ABC	46,051	n/a	n/a	n/a
Aleutian Islands subarea TAC [1]	19,000	n/a	n/a	n/a
CDQ DFA	1,900	1,900	n/a	.....
ICA	3,000	1,500	n/a	1,500
Aleut Corporation	14,100	14,100	n/a	.....
Area harvest limit [7]	n/a	n/a	n/a	n/a
541	13,815	n/a	n/a	n/a
542	6,908	n/a	n/a	n/a
543	2,303	n/a	n/a	n/a
Bogoslof District ICA [8]	250	n/a	n/a	n/a

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2025 harvest specifications for pollock are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for the ICA (46,000 mt), is allocated as a DFA as follows: inshore sector—50 percent, catcher/processor sector (CP)—40 percent, and mothership sector—10 percent. In the Bering Sea subarea, 45 percent of the DFA and CDQ DFA are allocated to the A season (January 20–June 10) and 55 percent of the DFA and CDQ DFA are allocated to the B season (June 10–November 1). When the AI pollock ABC equals or exceeds 19,000 mt, the annual TAC is equal to 19,000 mt (§ 679.20(a)(5)(iii)(B)(*1*)). Pursuant to § 679.20(a)(5)(iii)(B)(*2*), the AI subarea pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for the ICA (3,000 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the AI subarea, the A season is allocated no more than 40 percent of the AI pollock ABC.

[2] In the Bering Sea subarea, pursuant to § 679.20(a)(5)(i)(C), no more than 28 percent of each sector's annual DFA may be taken from the SCA before noon, April 1. The SCA is defined at § 679.22(a)(7)(vii).

[3] Pursuant to § 679.20(a)(5)(i)(A)(*4*), 8.5 percent of the allocation to listed CPs shall be available for harvest only by eligible CVs with a CP endorsement delivering to listed CPs, unless there is a CP sector cooperative contract for the year.

[4] Pursuant to § 679.20(a)(5)(i)(A)(*4*)(*iii*), the AFA unlisted CPs are limited to harvesting not more than 0.5 percent of the CP sector's allocation of pollock.
[5] Pursuant to § 679.20(a)(5)(i)(A)(*6*), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.
[6] Pursuant to § 679.20(a)(5)(i)(A)(*7*), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.
[7] Pursuant to § 679.20(a)(5)(iii)(B)(*6*), NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the AI pollock ABC.
[8] Pursuant to § 679.22(a)(7)(i)(B), the Bogoslof District is closed to directed fishing for pollock. The amounts specified are for incidental catch only and are not apportioned by season or sector (§ 679.20(a)(5)(ii)).

TABLE 5—FINAL 2026 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA) [1]

[Amounts are in metric tons]

Area and sector	2025 Allocations	2025 A season [1]		2025 B season [1]
		A season DFA	SCA harvest limit [2]	B season DFA
Bering Sea subarea TAC [1]	1,375,000	n/a	n/a	n/a
CDQ DFA	137,500	61,875	38,500	75,625
ICA [1]	46,000	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA	1,191,500	536,175	333,620	655,325
AFA Inshore	595,750	268,088	166,810	327,663
AFA CPs	476,600	214,470	133,448	262,130
Catch by CPs	436,089	196,240	n/a	239,849
Catch by CVs [3]	40,511	18,230	n/a	22,281
Unlisted CP Limit [4]	2,383	1,072	n/a	1,311
AFA Motherships	119,150	53,618	33,362	65,533
Excessive Harvesting Limit [5]	208,513	n/a	n/a	n/a
Excessive Processing Limit [6]	357,450	n/a	n/a	n/a
Aleutian Islands subarea ABC	46,437	n/a	n/a	n/a
Aleutian Islands subarea TAC [1]	19,000	n/a	n/a	n/a
CDQ DFA	1,900	1,900	n/a	.....
ICA	3,000	1,500	n/a	1,500
Aleut Corporation	14,100	14,100	n/a	.....
Area harvest limit [7]	n/a	n/a	n/a	n/a
541	13,931	n/a	n/a	n/a
542	6,966	n/a	n/a	n/a
543	2,322	n/a	n/a	n/a
Bogoslof District ICA [8]	250	n/a	n/a	n/a

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2026 harvest specifications for pollock are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.
[1] Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for the ICA (46,000 mt), is allocated as a DFA as follows: inshore sector—50 percent, catcher/processor sector (CP)—40 percent, and mothership sector—10 percent. In the Bering Sea subarea, 45 percent of the DFA and CDQ DFA are allocated to the A season (January 20–June 10) and 55 percent of the DFA and CDQ DFA are allocated to the B season (June 10–November 1). When the AI pollock ABC equals or exceeds 19,000 mt, the annual TAC is equal to 19,000 mt (§ 679.20(a)(5)(iii)(B)(*1*)). Pursuant to § 679.20(a)(5)(iii)(B)(*2*), the AI subarea pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for the ICA (3,000 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the AI subarea, the A season is allocated no more than 40 percent of the AI pollock ABC.
[2] In the Bering Sea subarea, pursuant to § 679.20(a)(5)(i)(C), no more than 28 percent of each sector's annual DFA may be taken from the SCA before noon, April 1. The SCA is defined at § 679.22(a)(7)(vii).
[3] Pursuant to § 679.20(a)(5)(i)(A)(*4*), 8.5 percent of the allocation to listed CPs shall be available for harvest only by eligible CVs with a CP endorsement delivering to listed CPs, unless there is a CP sector cooperative contract for the year.
[4] Pursuant to § 679.20(a)(5)(i)(A)(*4*)(*iii*), the AFA unlisted CPs are limited to harvesting not more than 0.5 percent of the CP sector's allocation of pollock.
[5] Pursuant to § 679.20(a)(5)(i)(A)(*6*), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.
[6] Pursuant to § 679.20(a)(5)(i)(A)(*7*), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.
[7] Pursuant to § 679.20(a)(5)(iii)(B)(*6*), NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the AI pollock ABC.
[8] Pursuant to § 679.22(a)(7)(i)(B), the Bogoslof District is closed to directed fishing for pollock. The amounts specified are for incidental catch only and are not apportioned by season or sector (§ 679.20(a)(5)(ii)).

TABLE 6—FINAL 2025 AFA INSHORE COOPERATIVE AND OPEN ACCESS POLLOCK ALLOCATIONS

[Amounts are in metric tons]

Cooperative name [1]	% of Inshore sector allocation	Sum of vessel's catch histories (mt) [2]	2025 Allocations (mt)
AFA Open Access	0.925932	18,414	5,516
Akutan Catcher Vessel Association	33.787794	295,836	201,291
Arctic Enterprise Association	0.000000	0	0
Northern Victor Fleet Cooperative	9.345631	81,828	55,677

TABLE 6—FINAL 2025 AFA INSHORE COOPERATIVE AND OPEN ACCESS POLLOCK ALLOCATIONS—Continued

[Amounts are in metric tons]

Cooperative name [1]	% of Inshore sector allocation	Sum of vessel's catch histories (mt) [2]	2025 Allocations (mt)
Peter Pan Fleet Cooperative	0.000000	0	0
Unalaska Fleet Cooperative (Alyeska)	12.261341	107,357	73,047
UniSea Fleet Cooperative	24.299652	202,454	144,765
Westward Fleet Cooperative	19.379650	169,683	115,454
Sum of all Cooperatives	100.00	875,572	595,750

[1] The 2025 allocations are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 AFA CV cooperative membership will not be known until eligible participants apply for participation in the program by December 1, 2025. NMFS will specify the 2026 AFA inshore cooperative and open access pollock allocations in the 2026 and 2027 harvest specifications.

[2] According to regulations at § 679.62(a)(1), the individual catch history for each vessel is equal to the vessel's best 2 of 3 years inshore pollock landings from 1995 through 1997 and includes non-CDQ offshore landings to CPs for vessels that made 500 or more mt of landings to CPs or offshore motherships from 1995 through 1997.

Allocation of the Atka Mackerel TACs

Section 679.20(a)(8) allocates the Atka mackerel TACs to the Amendment 80 and BSAI trawl limited access sectors, after subtracting the CDQ reserves, ICAs for the BSAI trawl limited access sector and non-trawl gear sector, and the jig gear allocation (tables 7 and 8). The percentage of the ITAC for Atka mackerel allocated to the Amendment 80 and BSAI trawl limited access sectors is listed in table 33 to 50 CFR part 679 and in § 679.91. Pursuant to § 679.20(a)(8)(i), up to 2 percent of the EAI district and the BS subarea Atka mackerel TAC may be allocated to vessels using jig gear. The percent of this allocation is recommended annually by the Council based on several criteria, including, among other criteria, the anticipated harvest capacity of the jig gear fleet. After reviewing the Council's recommendation, NMFS approves a 0.5 percent allocation of the Atka mackerel TAC in the EAI district and BS subarea to the jig gear sector in 2025 and 2026.

Section 679.20(a)(8)(ii)(A) apportions the Atka mackerel TAC, after subtraction of the jig gear allocation, into two equal seasonal allowances. Section 679.23(e)(3) sets the first seasonal allowance for directed fishing with trawl gear from January 20 through June 10 (A season), and the second seasonal allowance from June 10 through December 31 (B season). Section 679.23(e)(4)(iii) applies Atka mackerel seasons to CDQ Atka mackerel trawl fishing. Within any fishing year, any under harvest or over harvest of a seasonal allowance may be added to or subtracted from a subsequent seasonal allowance (§ 679.20(a)(8)(ii)(B)). The ICAs and jig gear allocations are not apportioned by season.

Sections 679.20(a)(8)(ii)(C)(*1*)(*i*) and (*ii*) limits Atka mackerel catch within waters 0 nautical miles (nmi) to 20 nmi of Steller sea lion sites listed in table 6 to 50 CFR part 679 and located west of 178° W longitude to no more than 60 percent of the annual TACs in Areas 542 and 543. The annual harvest is also equally divided between the A and B seasons as defined at § 679.23(e)(3). Section 679.20(a)(8)(ii)(C)(*2*) requires that the annual TAC in Area 543 will be no more than 65 percent of the ABC in Area 543. Section 679.20(a)(8)(ii)(D) requires that any unharvested Atka mackerel A season allowance that is added to the B season be prohibited from being harvested within waters 0 nmi to 20 nmi of Steller sea lion sites listed in table 6 to 50 CFR part 679 and located in Areas 541, 542, and 543.

Tables 7 and 8 list these 2025 and 2026 Atka mackerel seasonal and area allowances, and the sector allocations. One Amendment 80 cooperative has formed for the 2025 fishing year. Because all Amendment 80 vessels are part of the sole Amendment 80 cooperative, no allocation to the Amendment 80 limited access sector is required for 2025. The 2026 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025. Table 21 lists the allocation of CDQ Atka mackerel among the CDQ groups.

TABLE 7—FINAL 2025 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector [1]	Season [2 3 4]	2025 Allocation by area		
		Eastern Aleutian District/Bering Sea	Central Aleutian District [5]	Western Aleutian District
TAC	n/a	39,000	24,443	18,557
CDQ reserve	Total	4,173	2,615	1,986
	A	2,087	1,308	993
	Critical Habitat	n/a	785	596
	B	2,087	1,308	993
	Critical Habitat	n/a	785	596
Non-CDQ TAC	n/a	34,827	21,828	16,571
ICA	Total	800	100	20
Jig [6]	Total	170		
BSAI trawl limited access	Total	3,386	2,173	
	A	1,693	1,086	
	Critical Habitat	n/a	652	
	B	1,693	1,086	

TABLE 7—FINAL 2025 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC—Continued

[Amounts are in metric tons]

Sector [1]	Season [2 3 4]	2025 Allocation by area		
		Eastern Aleutian District/Bering Sea	Central Aleutian District [5]	Western Aleutian District
	Critical Habitat	n/a	652	
Amendment 80 sector	Total	30,471	19,555	16,551
	A	15,236	9,777	8,276
	Critical Habitat	n/a	5,866	4,965
	B	15,236	9,777	8,276
	Critical Habitat	n/a	5,866	4,965

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2025 harvest specifications for Atka mackerel are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, ICAs, and jig gear allocation, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in table 33 to 50 CFR part 679 and §679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §679.20(b)(1)(ii)(C)).

[2] Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

[3] The seasonal allowances of Atka mackerel for the CDQ reserve, BSAI trawl limited access sector, and Amendment 80 sector are 50 percent in the A season and 50 percent in the B season.

[4] Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

[5] Section 679.20(a)(8)(ii)(C)(*1*)(*i*) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion protection areas; 679.20(a)(8)(ii)(C)(*1*)(*ii*) equally divides the annual catch inside of Steller sea lion protection areas between the A and B seasons as defined at §679.23(e)(3); and 679.20(a)(8)(ii)(C)(*2*) requires that the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

[6] Sections 679.2 and 679.20(a)(8)(i) require that up to 2 percent of the Eastern Aleutian Islands District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS sets the amount of this allocation for 2025 at 0.5 percent. The jig gear allocation is not apportioned by season.

TABLE 8—FINAL 2026 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector [1]	Season [2 3 4]	2026 Allocation by area		
		Eastern Aleutian District/Bering Sea [5]	Central Aleutian District [5]	Western Aleutian District [5]
TAC	n/a	41,731	23,716	17,494
CDQ reserve	Total	4,465	2,538	1,872
	A	2,233	1,269	936
	Critical Habitat	n/a	761	562
	B	2,233	1,269	936
	Critical Habitat	n/a	761	562
non-CDQ TAC	n/a	37,266	21,178	15,622
ICA	Total	800	100	20
Jig [6]	Total	182		
BSAI trawl limited access	Total	3,628	2,108	
	A	1,814	1,054	
	Critical Habitat	n/a	632	
	B	1,814	1,054	
	Critical Habitat	n/a	632	
Amendment 80 sectors [7]	Total	32,655	18,971	15,602
	A	16,328	9,485	7,801
	Critical Habitat	n/a	5,691	4,681
	B	16,328	9,485	7,801
	Critical Habitat	n/a	5,691	4,681

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2026 harvest specifications for Atka mackerel are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, ICAs, and jig gear allocation, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in table 33 to 50 CFR part 679 and §679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §679.20(b)(1)(ii)(C)).

[2] Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

[3] The seasonal allowances of Atka mackerel for the CDQ reserve, BSAI trawl limited access sector, and Amendment 80 sector are 50 percent in the A season and 50 percent in the B season.

[4] Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

[5] Section 679.20(a)(8)(ii)(C)(*1*)(*i*) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion protection areas; 679.20(a)(8)(ii)(C)(*1*)(*ii*) equally divides the annual catch inside of Steller sea lion protection areas between the A and B seasons as defined at §679.23(e)(3); and 679.20(a)(8)(ii)(C)(*2*) requires that the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

[6] Sections 679.2 and 679.20(a)(8)(i) require that up to 2 percent of the Eastern Aleutian Islands District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS sets the amount of this allocation for 2026 at 0.5 percent. The jig gear allocation is not apportioned by season.

[7] The 2026 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

Allocation of the Pacific Cod TAC

Section 679.20(b)(1)(ii)(C) allocates 10.7 percent of the BS TAC and the AI TAC to the CDQ program. After CDQ allocations have been deducted from the respective BS and AI Pacific cod TACs, the remaining BSAI Pacific cod TACs are combined for calculating further BSAI Pacific cod sector allocations and seasonal allowances. If the non-CDQ Pacific cod TAC is or will be reached in either the BS or the AI subareas, NMFS will prohibit non-CDQ directed fishing for Pacific cod in that subarea as provided in § 679.20(d)(1)(iii).

Section 679.20(a)(7)(ii) allocates to the non-CDQ sectors the Pacific cod TAC in the combined BSAI, after subtracting 10.7 percent for the CDQ program, as follows: 1.4 percent to vessels using jig gear; 2.0 percent to hook-and-line or pot CVs less than 60 ft (18.3 m) LOA; 0.2 percent to hook-and-line CVs greater than or equal to 60 ft (18.3 m) LOA; 48.7 percent to hook-and-line CPs; 8.4 percent to pot CVs greater than or equal to 60 ft (18.3 m) LOA; 1.5 percent to pot CPs; 2.3 percent to AFA trawl CPs; 13.4 percent to Amendment 80 sector; and 22.1 percent to trawl CVs. The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. For 2025 and 2026, the Regional Administrator establishes an ICA of 500 mt based on anticipated incidental catch by these sectors in directed fisheries for groundfish other than Pacific cod. During the fishing year, NMFS may reallocate unharvested Pacific cod among sectors, consistent with the reallocation hierarchy set forth at § 679.20(a)(7)(iii).

The ITAC allocation of Pacific cod to the Amendment 80 sector is established in table 33 to 50 CFR part 679 and § 679.91. One Amendment 80 cooperative has formed for the 2025 fishing year. Because all Amendment 80 vessels are part of the sole Amendment 80 cooperative, no allocation to the Amendment 80 limited access sector is required for 2025. The 2026 allocations for Pacific cod between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

The BSAI ITAC allocation of Pacific cod to the Pacific Cod Trawl Cooperative (PCTC) Program is established in § 679.131(b). Section 679.131(b)(1)(i) also requires NMFS to establish an ICA for incidental catch of Pacific cod in the A and B seasons by trawl CVs engaged in directed fishing for groundfish other than PCTC Program Pacific cod. In the annual harvest specification process, NMFS determines the Pacific cod trawl CV TAC and the annual apportionment of Pacific cod in the A and B seasons between the PCTC Program DFA and the ICA (§ 679.131(b)(2)) (tables 9 and 10 below). The 2025 PCTC cooperative allocations and PSC limits are listed in table 11. The 2026 allocations for PCTC Program cooperatives will not be known until NMFS receives the membership applications by November 1, 2025.

The sector allocations of Pacific cod are apportioned into seasonal allowances to disperse the Pacific cod fisheries over the fishing year (see §§ 679.20(a)(7)(i)(B) (CDQ), 679.20(a)(7)(iv)(A) (non-CDQ), and 679.23(e)(5) (seasons)). Tables 9 and 10 list the CDQ and non-CDQ sector allocations and the non-CDQ seasonal allowances. In accordance with § 679.20(a)(7)(iv)(B) and (C), any unused portion of a non-CDQ Pacific cod seasonal allowance for any sector, except the jig sector, will become available at the beginning of that sector's next seasonal allowance. Section 679.20(a)(7)(i)(B) sets forth the CDQ Pacific cod gear allowances by season, and CDQ groups are prohibited from exceeding those seasonal allowances (§ 679.7(d)(6)).

Section 679.20(a)(7)(vii) requires that the Regional Administrator establish an Area 543 Pacific cod harvest limit based on Pacific cod abundance in Area 543 as determined by the annual stock assessment process. Based on the 2024 stock assessment, the Regional Administrator determined for 2025 and 2026 the estimated amount of Pacific cod abundance in Area 543 is 36.5 percent of the total AI abundance. To calculate the Area 543 Pacific cod harvest limit, NMFS first subtracts the State GHL Pacific cod amount from the AI Pacific cod ABC. Then NMFS determines the harvest limit in Area 543 by multiplying the percentage of Pacific cod estimated in Area 543 (36.5 percent) by the remaining ABC for AI Pacific cod. Based on these calculations, the Area 543 harvest limit is 3,173 mt for 2025, and 3,078 mt for 2026.

Under the PCTC Program, NMFS is required to specify an AI set-aside of up to twelve percent of the PCTC Program A season cooperative quota for delivery to an AI shoreplant in years in which an AI community representative notifies NMFS of the intent to process PCTC Program Pacific cod in the City of Adak or City of Atka (§ 679.132). A notice of intent to process PCTC Program Pacific cod must be submitted in writing to the Regional Administrator by a representative of the City of Adak or the City of Atka no later than October 15. A notice of intent was not received by October 15, 2024, and accordingly the AI set-aside will not be in effect for 2025. The 2026 set-aside will be determined after the October 15, 2025, deadline in conjunction with the 2026 and 2027 harvest specifications process.

Based on the final 2025 and 2026 Pacific cod TACs, tables 9 and 10 list the CDQ and non-CDQ TAC amounts; non-CDQ seasonal allowances by gear; the sector allocations of Pacific cod; and the seasons set forth at § 679.23(e)(5). The CDQ allocation of BS and AI Pacific cod among the CDQ groups is listed in table 21.

TABLE 9—FINAL 2025 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Sector	Percent	2025 Share of gear sector total	2025 Share of sector total	2025 Seasonal allowances	
				Season	Amount
Total Bering Sea TAC	n/a	133,602	n/a	n/a	n/a
Bering Sea CDQ	n/a	14,295	n/a	See § 679.20(a)(7)(i)(B)	n/a
Bering Sea non-CDQ TAC	n/a	119,307	n/a	n/a	n/a
Total Aleutian Islands TAC	n/a	8,694	n/a	n/a	n/a

TABLE 9—FINAL 2025 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC—Continued

[Amounts are in metric tons]

Sector	Percent	2025 Share of gear sector total	2025 Share of sector total	2025 Seasonal allowances	
				Season	Amount
Aleutian Islands CDQ	n/a	930	n/a	See § 679.20(a)(7)(i)(B)	n/a
Aleutian Islands non-CDQ TAC	n/a	7,764	n/a	n/a	n/a
Western Aleutians Islands Limit	n/a	3,173	n/a	n/a	n/a
Total BSAI non-CDQ TAC [1]	100.0	127,070	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	77,259	n/a	n/a	n/a
Hook-and-line/pot ICA [2]	n/a	n/a	500	n/a	n/a
Hook-and-line/pot sub-total	n/a	76,759	n/a	n/a	n/a
Hook-and-line CPs	48.7	n/a	61,483	n/a	n/a
A-season				Jan 1–Jun 10	31,356
B-season				Jun 10–Dec 31	30,127
Hook-and-line CVs ≥ 60 ft LOA	0.2	n/a	252	n/a	n/a
A-season				Jan 1–Jun 10	129
B-season				Jun 10–Dec 31	124
Pot CPs	1.5	n/a	1,894	n/a	n/a
Pot CPs A-season				Jan 1–Jun 10	966
Pot CPs B-season				Sept 1–Dec 31	928
Pot CVs ≥ 60 ft LOA	8.4	n/a	10,605	n/a	n/a
A-season				Jan 1–Jun 10	5,408
B-season				Sept 1–Dec 31	5,196
CVs < 60 ft LOA using hook-and-line or pot gear	2.0	n/a	2,525	n/a	n/a
Trawl CVs [3]	22.1	28,083	n/a	n/a	n/a
A-Season ICA				Jan 20–Apr 1	1,500
A-season PCTC				Jan 20–Apr 1	19,281
B-season ICA				Apr 1–Jun 10	700
B-season PCTC				Apr 1–Jun 10	2,389
C-season trawl CVs				Jun 10–Nov 1	4,212
AFA trawl CPs	2.3	2,923	n/a	n/a	n/a
A-season				Jan 20–Apr 1	2,192
B-season				Apr 1–Jun 10	731
C-season				Jun 10–Nov 1	.....
Amendment 80	13.4	17,027	n/a	n/a	n/a
A-season				Jan 20–Apr 1	12,771
B-season				Apr 1–Jun 10	4,257
C-season				Jun 10–Dec 31	.....
Jig	1.4	1,779	n/a	n/a	n/a
A-season				Jan 1–Apr 30	1,067
B-season				Apr 30–Aug 31	356
C-season				Aug 31–Dec 31	356

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2025 harvest specifications for Pacific cod are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

[1] The sector allocations and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after subtraction of the reserves for the CDQ Program. If the TAC for Pacific cod in either the BS or AI subareas is or will be reached, then directed fishing will be prohibited for non-CDQ Pacific cod in that subarea, even if a BSAI allowance remains (§ 679.20(d)(1)(iii)).

[2] The ICA for the hook-and-line and pot sectors is deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 500 mt based on anticipated incidental catch by these sectors in directed fisheries for groundfish other than Pacific cod.

[3] The A and B season trawl CV Pacific cod allocation is allocated to the Pacific Cod Trawl Cooperative Program after subtraction of the A and B season ICAs (§ 679.131(b)(1)). The Regional Administrator approves for the A and B seasons ICAs of 1,500 mt and 700 mt, respectively, to account for projected incidental catch of Pacific cod by trawl CVs engaged in directed fishing for groundfish other than PCTC Program Pacific cod.

TABLE 10—FINAL 2026 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Sector	Percent	2026 Share of gear sector total	2026 Share of sector total	2026 Seasonal allowances	
				Season	Amount
Total Bering Sea TAC	n/a	123,077	n/a	n/a	n/a
Bering Sea CDQ	n/a	13,169	n/a	See § 679.20(a)(7)(i)(B)	n/a
Bering Sea non-CDQ TAC	n/a	109,908	n/a	n/a	n/a
Total Aleutian Islands TAC	n/a	8,432	n/a	n/a	n/a
Aleutian Islands CDQ	n/a	902	n/a	See § 679.20(a)(7)(i)(B)	n/a
Aleutian Islands non-CDQ TAC	n/a	7,530	n/a	n/a	n/a
Western Aleutians Islands Limit	n/a	3,078	n/a	n/a	n/a
Total BSAI non-CDQ TAC [1]	100.0	117,438	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	71,402	n/a	n/a	n/a
Hook-and-line/pot ICA [2]	n/a	n/a	500	n/a	n/a
Hook-and-line/pot sub-total	n/a	70,902	n/a	n/a	n/a
Hook-and-line CPs	48.7	n/a	56,792	n/a	n/a
A-season				Jan 1–Jun 10	28,964
B-season				Jun 10–Dec 31	27,828
Hook-and-line CVs ≥ 60 ft LOA	0.2	n/a	233	n/a	n/a
A-season				Jan 1–Jun 10	119
B-season				Jun 10–Dec 31	114
Pot CPs	1.5	n/a	1,749	n/a	n/a
Pot CPs A-season				Jan 1–Jun 10	892
Pot CPs B-season				Sept 1–Dec 31	857
Pot CVs ≥ 60 ft LOA	8.4	n/a	9,796	n/a	n/a
A-season				Jan 1–Jun 10	4,996

TABLE 10—FINAL 2026 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC—Continued

[Amounts are in metric tons]

Sector	Percent	2026 Share of gear sector total	2026 Share of sector total	2026 Seasonal allowances	
				Season	Amount
B-season				Sept 1–Dec 31	4,800
CVs < 60 ft LOA using hook-and-line or pot gear	2.0	n/a	2,332	n/a	n/a
Trawl CVs [3]	22.1	25,954	n/a	n/a	n/a
A-Season ICA				Jan 20–Apr 1	1,500
A-season PCTC				Jan 20–Apr 1	17,706
B-season ICA				Apr 1–Jun 10	700
B-season PCTC				Apr 1–Jun 10	2,155
C-season trawl CVs				Jun 10–Nov 1	3,893
AFA trawl CPs	2.3	2,701	n/a	n/a	n/a
A-season				Jan 20–Apr 1	2,026
B-season				Apr 1–Jun 10	675
C-season				Jun 10–Nov 1	
Amendment 80	13.4	15,737	n/a	n/a	n/a
A-season				Jan 20–Apr 1	11,802
B-season				Apr 1–Jun 10	3,934
C-season				Jun 10–Dec 31	
Jig	1.4	1,644	n/a	n/a	n/a
A-season				Jan 1–Apr 30	986
B-season				Apr 30–Aug 31	329
C-season				Aug 31–Dec 31	329

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2026 harvest specifications for Pacific cod are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] The sector allocations and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after subtraction of the reserves for the CDQ Program. If the TAC for Pacific cod in either the BS or AI subareas is or will be reached, then directed fishing will be prohibited for non-CDQ Pacific cod in that subarea, even if a BSAI allowance remains (§ 679.20(d)(1)(iii)).

[2] The ICA for the hook-and-line and pot sectors is deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 500 mt based on anticipated incidental catch by these sectors in directed fisheries for groundfish other than Pacific cod.

[3] The A and B season trawl CV Pacific cod allocation is allocated to the Pacific Cod Trawl Cooperative Program after subtraction of the A and B season ICAs (§ 679.131(b)(1)). The Regional Administrator approves for the A and B seasons ICAs of 1,500 mt and 700 mt, respectively, to account for projected incidental catch of Pacific cod by trawl CVs engaged in directed fishing for groundfish other than PCTC Program Pacific cod.

TABLE 11—FINAL 2025 PCTC COOPERATIVE ALLOCATIONS AND PSC LIMITS

[Pacific cod and Pacific halibut amounts are in metric tons. Crab are in number of animals.]

Cooperative name [1]	Total Pacific Cod CQ	A Season Pacific Cod CQ	B Season Pacific Cod CQ	Halibut	Red King Crab	*C. opilio* COBLZ	Zone 1 *C. bairdi*	Zone 2 *C. bairdi*
Akutan Cod Association	13,230.29	11,771.72	1,458.57	134.317	1,009	50,732	20,493	17,078
GA Catcher Vessels Association	1,716.84	1,527.57	189.272	17.429	130	6,583	2,659	2,216
USS Cod Cooperative	2,221.55	1,976.64	244.914	22.553	169	8,518	3,441	2,867
Unified Cod Cooperative	4,501.32	4,005.07	496.245	45.698	343	17,260	6,972	5,810
Totals	21,670	19,281	2,389	220	1,651	83,093	33,565	27,971

Note: *Totals may not add up due to rounding.* Refer to § 679.2 for definitions of areas and zones.

[1] The 2025 PCTC cooperative allocations and PSC limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 allocations and PSC limits for PCTC Cooperatives will not be known until eligible participants apply for participation in the program by November 1, 2025. NMFS will specify the 2026 PCTC cooperative allocations and PSC limits in the 2026 and 2027 harvest specifications.

Sablefish Gear Allocation

Sections 679.20(a)(4)(iii) and (iv) require allocation of the sablefish TAC for the BS and AI subareas between the trawl gear and fixed gear sectors. Gear allocations of the sablefish TAC for the BS are 50 percent for trawl gear and 50 percent for fixed gear. Gear allocations of the sablefish TAC for the AI are 25 percent for trawl gear and 75 percent for fixed gear. Section 679.20(b)(1)(ii)(B) requires that NMFS apportion 20 percent of the fixed gear allocation of sablefish TAC to the CDQ reserve for each subarea. Also, § 679.20(b)(1)(ii)(D)(*1*) requires that in the BS and AI 7.5 percent of the trawl gear allocation of sablefish TAC from the non-specified reserve, established under § 679.20(b)(1)(i), be assigned to the CDQ reserve.

The Council recommended and NMFS agrees that only trawl sablefish TAC be established biennially and that fixed gear sablefish TAC be established for one year. The harvest specifications for the fixed gear sablefish Individual Fishing Quota (IFQ) fisheries are limited to the 2025 fishing year to ensure those fisheries are conducted concurrently with the halibut IFQ fishery, which opens March 20, 2025. Concurrent sablefish and halibut IFQ fisheries reduce the potential for discards of halibut and sablefish in those fisheries. The sablefish IFQ fisheries remain closed at the beginning of each fishing year until the final harvest specifications for the sablefish IFQ fisheries are in effect. Table 12 lists the 2025 and 2026 gear allocations of the sablefish TAC and CDQ reserve amounts. Allocations among CDQ groups are listed in table 21.

TABLE 12—FINAL 2025 AND 2026 GEAR SHARES AND CDQ RESERVE OF BSAI SABLEFISH TACS

[Amounts are in metric tons]

Subarea and gear	Percent of TAC	2025 Share of TAC	2025 ITAC	2025 CDQ reserve	2026 Share of TAC	2026 ITAC	2026 CDQ reserve
Bering Sea:							
Trawl gear [1]	50	4,248	3,611	319	4,498	3,823	337
Fixed gear [2]	50	4,248	3,398	850	n/a	n/a	n/a
Total	100	8,496	7,009	1,168	4,498	3,823	337
Aleutian Islands:							
Trawl gear [1]	25	1,985	1,687	149	1,860	1,581	140
Fixed gear [2]	75	5,955	4,764	1,191	n/a	n/a	n/a
Total	100	7,940	6,451	1,340	1,860	1,581	140

Note: Seasonal or sector apportionments may not total precisely due to rounding.

[1] For the sablefish TAC allocated to vessels using trawl gear, 15 percent of TAC is apportioned to the non-specified reserve (§ 679.20(b)(1)(i)). The ITAC for vessels using trawl gear is the remainder of the TAC after subtracting this reserve. In the BS and AI, 7.5 percent of the trawl gear allocation of sablefish TAC is assigned from the non-specified reserve to the CDQ reserve (§ 679.20(b)(1)(ii)(D)(*1*)). The 2025 sablefish allocations to trawl gear are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 sablefish allocations to trawl gear are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[2] For the portion of the sablefish TAC allocated to vessels using fixed gear, 20 percent of the allocated TAC for the BS and AI is reserved for use by CDQ participants (§ 679.20(b)(1)(ii)(B)). The ITAC for vessels using fixed gear is the remainder of the TAC after subtracting the CDQ reserve for each subarea. The Council recommended, and NMFS concurs, that specifications for the fixed gear sablefish IFQ fisheries be limited to one year. The 2025 sablefish allocations to fixed gear are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 sablefish allocations to fixed gear will be specified in the 2026 and 2027 harvest specifications.

Allocation of the AI Pacific Ocean Perch, and BSAI Flathead Sole, Rock Sole, and Yellowfin Sole TACs

Sections 679.20(a)(10)(i) and (ii) require that NMFS allocate AI Pacific ocean perch and BSAI flathead sole, rock sole, and yellowfin sole ITACs between the Amendment 80 sector and the BSAI trawl limited access sector, after subtracting 10.7 percent for the CDQ reserves and ICAs for the BSAI trawl limited access sector and vessels using non-trawl gear. The allocations of the ITACs for AI Pacific ocean perch and BSAI flathead sole, rock sole, and yellowfin sole to the Amendment 80 sector and the BSAI trawl limited access sector are established in accordance with tables 33 and 34 to 50 CFR part 679 and with § 679.91.

One Amendment 80 cooperative has formed for the 2025 fishing year. Because all Amendment 80 vessels are part of the sole Amendment 80 cooperative, no allocation to the Amendment 80 limited access sector is required for 2025. The 2026 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025. Tables 13 and 14 list the 2025 and 2026 allocations of the AI Pacific ocean perch and BSAI flathead sole, rock sole, and yellowfin sole TACs. Allocations among the CDQ groups are listed in table 21.

TABLE 13—FINAL 2025 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	6,278	5,559	11,500	36,000	75,000	135,000
CDQ	672	595	1,231	3,852	8,025	14,445
ICA	100	60	10	2,000	3,000	2,000
BSAI trawl limited access	551	490	205	.....	.....	12,718
Amendment 80	4,956	4,414	10,054	30,148	63,975	105,837

Note: Sector apportionments may not total precisely due to rounding. The 2025 CDQ reserves, ICAs, and allocations for BSAI flathead sole, rock sole, and yellowfin sole are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025.

TABLE 14—FINAL 2026 COMMUNITY DEVELOPMENT QUOTA (CDC) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	6,144	5,441	12,000	36,000	75,000	145,000
CDQ	657	582	1,284	3,852	8,025	15,515
ICA	100	60	10	2,000	3,000	2,000

TABLE 14—FINAL 2026 COMMUNITY DEVELOPMENT QUOTA (CDC) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS—Continued

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
BSAI trawl limited access	539	480	214			15,936
Amendment 80 [1]	4,848	4,319	10,492	30,148	63,975	111,549

Note: Sector apportionments may not total precisely due to rounding. The 2026 CDQ reserves, ICAs, and allocations for BSAI flathead sole, rock sole, and yellowfin sole are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] The 2026 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

Section 679.2 defines the ABC surplus for flathead sole, rock sole, and yellowfin sole as the difference between the annual ABC and TAC for each species. Section 679.20(b)(1)(iii) establishes ABC reserves for flathead sole, rock sole, and yellowfin sole. The ABC surpluses and the ABC reserves are necessary to mitigate the operational variability, environmental conditions, and economic factors that may constrain the CDQ groups and the Amendment 80 cooperatives from fully harvesting their allocations and to improve the likelihood of achieving and maintaining, on a continuing basis, the OY in the BSAI groundfish fisheries. NMFS, after consultation with the Council, may set the ABC reserve at or below the ABC surplus for each species, thus maintaining the TAC at or below ABC limits. An amount equal to 10.7 percent of the ABC reserves will be allocated as CDQ ABC reserves for flathead sole, rock sole, and yellowfin sole. Section 679.31(b)(4) establishes the annual allocations of CDQ ABC reserves among the CDQ groups. The Amendment 80 ABC reserves are the ABC reserves minus the CDQ ABC reserves. Section 679.91(i)(2) establishes the Amendment 80 cooperatives' ABC reserve to be the ratio of each cooperatives' quota share units and the total Amendment 80 quota share units, multiplied by the Amendment 80 ABC reserve for each respective species. Table 15 lists the 2025 and 2026 ABC surplus and ABC reserves for BSAI flathead sole, rock sole, and yellowfin sole. The ABC reserves for the CDQ groups are listed in table 21.

TABLE 15—FINAL 2025 AND 2026 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]

Sector	2025 Flathead sole	2025 Rock sole	2025 Yellowfin sole	2026 [1] Flathead sole	2026 [1] Rock sole	2026 [1] Yellowfin sole
ABC	83,807	157,487	262,557	87,700	158,225	267,639
TAC	36,000	75,000	135,000	36,000	75,000	145,000
ABC surplus	47,807	82,487	127,557	51,700	83,225	122,639
ABC reserve	47,807	82,487	127,557	51,700	83,225	122,639
CDQ ABC reserve	5,115	8,826	13,649	5,532	8,905	13,122
Amendment 80 ABC reserve	42,692	73,661	113,908	46,168	74,320	109,517

[1] The 2025 surpluses and reserves for BSAI flathead sole, rock sole, and yellowfin sole are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 surpluses and reserves for BSAI flathead sole, rock sole, and yellowfin sole are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026. The 2026 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

PSC Limits for Halibut, Salmon, Crab, and Herring

Section 679.21 (b), (e), (f), and (g), set forth the BSAI PSC limits. Section 679.21(b)(1) establishes three fixed halibut PSC limits totaling 1,770 mt, and assigns 315 mt of the halibut PSC limit as the PSQ reserve for use by the groundfish CDQ Program, 745 mt of the halibut PSC limit for the BSAI trawl limited access sector, and 710 mt of the halibut PSC limit for the BSAI non-trawl sector. An additional amount of BSAI halibut PSC limit for the Amendment 80 sector is determined annually based on the most recent halibut biomass estimates from the International Pacific Halibut Commission (IPHC) setline survey index and the NMFS Alaska Fisheries Science Center (AFSC) Eastern Bering Sea shelf trawl survey index. In accordance with § 679.21(b)(1)(i), NMFS uses both halibut biomass estimates such that the value at the intercept of those survey indices from table 58 to 50 CFR part 679 is the Amendment 80 sector halibut PSC limit. The 2024 AFSC Eastern Bering Sea shelf trawl survey index estimate of halibut abundance is 125,145 mt and is below the threshold level of 150,000 mt. The IPHC setline survey index is 6,282 mt and is in the ''low'' abundance state. Pursuant to table 58 to 50 CFR part 679, the 2025 Amendment 80 sector halibut PSC limit is 1,309 mt. NMFS will publish the 2026 Amendment 80 sector halibut PSC limit in the 2026 and 2027 harvest specifications.

Section 679.21(b)(1)(iii)(A) and (B) require apportionment of the BSAI non-trawl halibut PSC limit into PSC allowances among six fishery categories (see table 19). Sections 679.21(b)(1)(ii)(A) and (B), (e)(3)(i)(B), and (e)(3)(iv) require apportionment of the trawl PSC limits into PSC allowances among seven fishery categories (see tables 16, 17, and 18). These apportionments into PSC

allowances are based on the fishery categories' share of anticipated halibut PSC during the fishing year and the need to optimize the amount of total groundfish harvested under the halibut PSC limit for the non-trawl and trawl sectors.

Pursuant to Section 3.6 of the FMP, the Council recommends that certain specified non-trawl fisheries be exempt from the halibut PSC limit. NMFS concurs with this recommendation and exempts the pot gear fishery, the jig gear fishery, and the sablefish IFQ fixed gear fishery categories from halibut bycatch restrictions for the following reasons: (1) the pot gear fishery has low halibut bycatch mortality; (2) NMFS estimates halibut mortality for the jig gear fleet to be negligible because of the small size of the fishery and the selectivity of the gear; and (3) the sablefish and halibut IFQ fisheries have low halibut bycatch mortality because the IFQ program requires that legal-size halibut be retained by vessels using fixed gear if a halibut IFQ permit holder or a hired master is aboard and is holding unused halibut IFQ for that vessel category and the IFQ regulatory area in which the vessel is operating (see § 679.7(f)(11)).

The 2024 total groundfish catch for the pot gear fishery in the BSAI was 32,622 mt, with an associated halibut bycatch mortality of 10 mt. There was no participation in the 2024 jig gear fishery and 0 mt of total groundfish was harvested.

Under § 679.21(f)(2), NMFS annually allocates portions of either 33,318, 45,000, 47,591, or 60,000 Chinook salmon PSC limits among the AFA sectors, depending on: (1) past bycatch performance; (2) whether Chinook salmon bycatch incentive plan agreements (IPAs) are formed and approved by NMFS; and (3) whether NMFS determines it is a low Chinook salmon abundance year. NMFS will determine that it is a low Chinook salmon abundance year when abundance of Chinook salmon in western Alaska is less than or equal to 250,000 Chinook salmon. The State provides to NMFS an estimate of Chinook salmon abundance using the 3-System Index for western Alaska based on the Kuskokwim, Unalakleet, and Upper Yukon aggregate stock grouping.

If an AFA sector participates in an approved incentive plan agreement (IPA) and has not exceeded its performance standard under § 679.21(f)(6), and if it is not a low Chinook salmon abundance year, then NMFS will allocate a portion of the 60,000 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(A). If no IPA is approved, or if the sector has exceeded its performance standard under § 679.21(f)(6), and if it is not a low abundance year, then NMFS will allocate a portion of the 47,591 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(C). If an AFA sector participates in an approved IPA and has not exceeded its performance standard under § 679.21(f)(6), and if in a low abundance year, then NMFS will allocate a portion of the 45,000 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(B). If no IPA is approved, or if the sector has exceeded its performance standard under § 679.21(f)(6), and if in a low abundance year, then NMFS will allocate a portion of the 33,318 Chinook salmon PSC limit to that sector as specified in § 679.21(f)(3)(iii)(D).

NMFS has determined that 2024 was a low Chinook salmon abundance year, based on the State's estimate that Chinook salmon abundance in western Alaska is less than 250,000 Chinook salmon. In addition, all AFA sectors are participating in NMFS-approved IPAs, and no sector has exceeded the sector's annual Chinook salmon bycatch performance standard in any three of seven consecutive years. Therefore, in 2025, the Chinook salmon PSC limit is 45,000 Chinook salmon, allocated to each sector as specified in § 679.21(f)(3)(iii)(B). In 2025, the Chinook salmon bycatch performance standard under § 679.21(f)(6) is 33,318 Chinook salmon, allocated to each sector as specified in § 679.21(f)(3)(iii)(D). The AFA sector Chinook salmon PSC limits are also seasonally apportioned with 70 percent for the A season pollock fishery, and 30 percent for the B season pollock fishery (see §§ 679.21(f)(3)(i) and 679.23(e)(2)). NMFS publishes the approved IPAs, allocations, and reports at *https://www.fisheries.noaa.gov/alaska/bycatch/chinook-salmon-bycatch-management-alaska.* NMFS will publish the 2026 Chinook salmon PSC limit and bycatch performance standard in the 2026 and 2027 harvest specifications.

Section 679.21(g)(2)(i) specifies 700 fish as the Chinook salmon PSC limit for the AI pollock fishery. Section 679.21(g)(2)(ii) allocates 7.5 percent, or 53 Chinook salmon, as the AI PSQ reserve for the CDQ program, and allocates the remaining 647 Chinook salmon to the non-CDQ fisheries.

Section 679.21(f)(14)(i) specifies 42,000 fish as the non-Chinook salmon PSC limit for vessels using trawl gear from August 15 through October 14 in the Catcher Vessel Operational Area (CVOA). Section 679.21(f)(14)(ii) allocates 10.7 percent, or 4,494 non-Chinook salmon, in the CVOA as the PSQ reserve for the CDQ program, and allocates the remaining 37,506 non-Chinook salmon in the CVOA to the non-CDQ fisheries. Section 679.21(f)(14)(iv) exempts from closures in the Chum Salmon Savings Area trawl vessels participating in directed fishing for pollock and operating under an IPA approved by NMFS.

PSC limits for crab and herring are specified annually based on abundance and spawning biomass.

Based on the most recent (2024) survey data, the red king crab mature female abundance is estimated at 11.7 million red king crabs, and the effective spawning biomass is estimated at 22.47 million lbs (19,190 mt). Based on the criteria set out at § 679.21(e)(1)(i), the calculated PSC limit of red king crab in Zone 1 for trawl gear is 97,000 animals. This limit derives from the mature female abundance estimate above 8.4 million mature red king crab and an effective spawning biomass between 14.5 and 55 million lbs.

Section 679.21(e)(3)(ii)(B)(*2*) establishes criteria under which NMFS must specify, after consultation with the Council, an annual red king crab bycatch limit for the Red King Crab Savings Subarea (RKCSS) if the State has established a GHL fishery for red king crab in the Bristol Bay area in the previous year. The regulations limit the RKCSS red king crab bycatch limit to 25 percent of the red king crab PSC limit, based on the need to optimize the groundfish harvest relative to red king crab bycatch. In December 2024, the Council recommended, and NMFS approves, that the RKCSS red king crab bycatch limit be equal to 25 percent of the red king crab PSC limit.

Based on the most recent (2024) survey data from the NMFS annual bottom trawl survey, Tanner crab (*Chionoecetes bairdi*) abundance is estimated at 1,216 million animals. Pursuant to criteria set out at § 679.21(e)(1)(ii), the calculated *C. bairdi* crab PSC limit for trawl gear is 980,000 animals in Zone 1, and 2,970,000 animals in Zone 2. The limit in Zone 1 is based on the total abundance of *C. bairdi* (estimated at 1,216 million animals), which is greater than 400 million animals. The limit in Zone 2 is based on the total abundance of *C. bairdi* (estimated at 1,216 million animals), which is greater than 400 million animals.

Pursuant to § 679.21(e)(1)(iii), the PSC limit for trawl gear for snow crab (*C. opilio*) is based on total abundance as indicated by the NMFS annual bottom trawl survey. The *C. opilio* crab PSC

limit in the *C. opilio* bycatch limitation zone (COBLZ) is set at 0.1133 percent of the total abundance minus 150,000 crabs, unless a minimum or maximum PSC limit applies. Based on the most recent (2024) survey estimate of 13.37 billion animals, multiplied by 0.1133 percent, the calculated limit is 14,998,210 animals. Because the calculated limit is greater than 13 million animals, the maximum PSC limit applies and the PSC limit will be 12.85 million animals.

Pursuant to § 679.21(e)(1)(v), the PSC limit of Pacific herring caught while conducting any trawl operation for BSAI groundfish is 1 percent of the annual eastern BS herring biomass. The best current estimate of herring biomass is 265,096 mt. This amount was developed by the State based on biomass for spawning aggregations. Therefore, the herring PSC limit for 2025 and 2026 is 2,651 mt for all trawl gear as listed in tables 16 and 17.

Section 679.21(e)(3)(i)(A)(*1*) allocates 10.7 percent from each trawl gear PSC limit specified for crab as a PSQ reserve for use by the groundfish CDQ program. Section 679.21(e)(3)(i)(A) requires that crab PSQ reserves be subtracted from the total trawl gear crab PSC limits. The crab and halibut PSC limits apportioned to the Amendment 80 and BSAI trawl limited access sectors are listed in table 35 to 50 CFR part 679. The resulting allocations of PSC limit to CDQ PSQ reserves, the Amendment 80 sector, and the BSAI trawl limited access sector are listed in table 16. Pursuant to §§ 679.21(b)(1)(i), 679.21(e)(3)(vi), and 679.91(d) through (f), crab and halibut trawl PSC limits assigned to the Amendment 80 sector are then further allocated to Amendment 80 cooperatives as cooperative quota. Crab and halibut PSC cooperative quota assigned to Amendment 80 cooperatives is not allocated to specific fishery categories.

In 2025, there are no vessels in the Amendment 80 limited access sector and there is a single Amendment 80 cooperative. The 2026 PSC allocations between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

The BSAI ITAC allocation of halibut and crab PSC limits to the PCTC Program is established in § 679.131(c) and (d). The halibut PSC apportioned to the trawl CV sector is 98 percent of the halibut PSC limit apportioned to the BSAI trawl limited access sector's Pacific cod fishery category, and the remaining 2 percent is apportioned to the AFA CP sector. The trawl CV sector apportionment is further allocated to the A and B seasons (95 percent) and the C season (5 percent). The allocation to the trawl CV sector for the A and B season is subject to reductions, currently 25 percent, consistent with § 679.131(c)(1)(iii). The crab PSC apportioned to the trawl CV sector is 90.6 percent of the crab PSC limit apportioned to the BSAI trawl limited access sector's Pacific cod fishery category, and the remaining 9.4 percent is apportioned to the AFA CP sector. The trawl CV sector apportionment is further allocated to the A and B seasons (95 percent) and the C season (5 percent), and the A and B season limit is reduced by 35 percent to determine the overall PCTC Program crab PSC limit. The limits of halibut and crab PSC for the PCTC Program are listed in table 18, and in table 11 for PSC limits for PCTC Program cooperatives.

Sections 679.21(b)(2) and (e)(5) authorize NMFS, after consulting with the Council, to establish seasonal apportionments of halibut and crab PSC limits for the BSAI trawl limited access and non-trawl sectors to maximize the ability of the fleets to harvest the available groundfish TAC and to minimize bycatch. The factors to be considered are: (1) seasonal distribution of prohibited species; (2) seasonal distribution of target groundfish species relative to prohibited species distribution; (3) PSC bycatch needs on a seasonal basis relevant to prohibited species biomass and expected catches of target groundfish species; (4) the expected variations in bycatch rates throughout the year; (5) the expected changes in directed groundfish fishing seasons; 6) the expected start of fishing effort; and (7) economic effects of establishing seasonal prohibited species apportionments on segments of the target groundfish industry. Based on this criteria, the Council recommended and NMFS approves the seasonal PSC apportionments in tables 18 and 19 to maximize harvest among gear types, fisheries, and seasons while minimizing bycatch of PSC. PSC limits for PCTC Program cooperatives are listed in table 11. PSC limits among the CDQ groups are listed in table 21.

TABLE 16—FINAL 2025 AND 2026 APPORTIONMENT OF PROHIBITED SPECIES CATCH LIMITS TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area and zone [1]	Total PSC	Non-trawl PSC	CDQ PSQ reserve [2]	Trawl PSC remaining after CDQ PSQ	Amendment 80 sector [3]	BSAI trawl limited access sector [4]	BSAI PSC limits not allocated to Amendment 80 [3]
Halibut mortality (mt) BSAI	3,079	710	315	n/a	1,309	745	n/a
Herring (mt) BSAI	2,651	n/a	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	97,000	n/a	10,379	86,621	43,293	26,489	16,839
C. opilio (animals) COBLZ	12,850,000	n/a	1,374,950	11,475,050	5,639,987	3,688,081	2,146,982
C. bairdi crab (animals) Zone 1	980,000	n/a	104,860	875,140	368,521	411,228	95,390
C. bairdi crab (animals) Zone 2	2,970,000	n/a	317,790	2,652,210	627,778	1,241,500	782,932

[1] Refer to § 679.2 for definitions of areas and zones. The 2025 prohibited species catch limits are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 prohibited species catch limits are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[2] The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

[3] The BSAI halibut PSC limit for the Amendment 80 sector is determined annually based on the most recent halibut biomass estimates from the International Pacific Halibut Commission (IPHC) setline survey index and the NMFS AFSC Eastern Bering Sea shelf trawl survey index (§ 679.21(b)(1)(i)). The Amendment 80 Program reduced apportionment of the trawl PSC limits for crab below the total PSC limit. These reductions are not apportioned to other gear types or sectors.

[4] The Pacific Cod Trawl Cooperative (PCTC) Program reduced the Pacific cod PCTC Program PSC limit for halibut by 25 percent (§ 679.131(c)(1)(iii)). The PCTC Program reduced the Pacific cod PCTC Program PSC limit for crab by 35 percent (§ 679.131(d)(1)(iii)). The PSC limits apply to PCTC Program trawl CVs in the A and B seasons.

TABLE 17—FINAL 2025 AND 2026 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	153	n/a
Rock sole/flathead sole/Alaska plaice/other flatfish [1]	77	n/a
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	8	n/a
Rockfish	8	n/a
Pacific cod	14	n/a
Midwater trawl pollock	2,359	n/a
Pollock/Atka mackerel/other species [2 3]	31	n/a
Red king crab savings subarea non-pelagic trawl gear [4]	n/a	24,250
Total trawl PSC	2,651	97,000

Note: Species apportionments may not total precisely due to rounding. The 2025 prohibited species catch allowances are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 prohibited species catch allowances are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

[2] Pollock other than midwater trawl pollock, Atka mackerel, and "other species" fishery category.

[3] "Other species" for PSC monitoring includes skates, sharks, and octopuses.

[4] In December 2024, the Council recommended and NMFS approves that the red king crab bycatch limit for non-pelagic trawl fisheries within the Red King Crab Savings Subarea (RKCSS) be limited to 25 percent of the red king crab PSC limit (see § 679.21(e)(3)(ii)(B)(*2*)).

TABLE 18–FINAL 2025 AND 2026 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTORS AND PACIFIC COD TRAWL COOPERATIVE PROGRAM

BSAI trawl limited access sector fisheries	Prohibited species and area [1]				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	*C. opilio* (animals) COBLZ	*C. bairdi* (animals)	
				Zone 1	Zone 2
Yellowfin sole	250	23,337	3,521,726	346,228	1,185,500
Rock sole/flathead sole/Alaska plaice/other flatfish [2]	.....	.....	.....	.....	.....
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	.....	.....	.....	.....	.....
Rockfish April 15–December 31	5	.....	2,971	.....	1,000
Total Pacific cod [3]	315	2,955	148,531	60,000	50,000
AFA CP Pacific cod	6	278	13,962	5,640	4,700
PCTC Program Pacific cod, January 20–June 10	220	1,653	83,096	33,567	27,973
Trawl CV Pacific cod, June 10–November 1	15	134	6,728	2,718	2,265
PCTC Program unallocated reduction	73	890	44,744	18,075	15,062
Pollock/Atka mackerel/other species [4]	175	197	14,854	5,000	5,000
Total BSAI trawl limited access sector PSC	745	26,489	3,688,081	411,228	1,241,500

Note: Species apportionments may not total precisely due to rounding. The 2025 prohibited species catch allowances are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 prohibited species catch allowances are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

[1] Refer to § 679.2 for definitions of areas and zones.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

[3] The Pacific Cod Trawl Cooperative (PCTC) Program further apportioned the BSAI trawl limited access sector's Pacific cod fishery category PSC limits for halibut and crab between AFA CPs, PCTC A and B season for trawl CVs, and the open access C-season for trawl CVs (§ 679.131(c) and (d)). The halibut PSC limits are reduced for the A and B season trawl CV sector by 25 percent each year (§ 679.131(c)(1)(iii)). The crab PSC limits are reduced for the A and B season trawl CV sector by 35 percent each year (§ 679.131(d)(1)(iii)). Any amount of the PCTC Program PSC limit remaining after the B season may be reapportioned to the trawl CV open access fishery in the C season.

[4] "Other species" for PSC monitoring includes skates, sharks, and octopuses.

TABLE 19—FINAL 2025 AND 2026 HALIBUT PROHIBITED SPECIES BYCATCH ALLOWANCES FOR NON-TRAWL FISHERIES

		Halibut mortality (mt) BSAI		
Non-trawl fisheries	Seasons	CP	CV	All non-trawl
Pacific cod	Total Pacific cod	648	13	661
	January 1–June 10	388	9	n/a
	June 10–August 15	162	2	n/a
	August 15–December 31	98	2	n/a
Non-Pacific cod non-trawl-Total	May 1–December 31	n/a	n/a	49
Groundfish pot and jig	n/a	n/a	n/a	Exempt
Sablefish hook-and-line	n/a	n/a	n/a	Exempt

TABLE 19—FINAL 2025 AND 2026 HALIBUT PROHIBITED SPECIES BYCATCH ALLOWANCES FOR NON-TRAWL FISHERIES—Continued

Halibut mortality (mt) BSAI				
Non-trawl fisheries	Seasons	CP	CV	All non-trawl
Total for all non-trawl PSC	n/a	n/a	n/a	710

Note: Seasonal or sector allowances may not total precisely due to rounding. The 2025 prohibited species catch allowances are effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. The 2026 prohibited species catch allowances are effective from 0001 hours, A.l.t., January 1, 2026, through 1200 hours, A.l.t., March 18, 2026.

Estimates of Halibut Biomass and Stock Condition

The IPHC annually assesses the abundance and potential yield of the Pacific halibut stock using all available data from the commercial and sport fisheries, other removals, and scientific surveys. Additional information on the Pacific halibut stock assessment may be found in the IPHC's 2024 Pacific halibut stock assessment (December 2024) available on the IPHC website at *https://www.iphc.int.* The IPHC considered the 2024 Pacific halibut stock assessment at its January 2025 annual meeting when it sets the 2025 commercial halibut fishery catch limits.

Halibut Discard Mortality Rates (DMRs)

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut incidental catch rates, DMRs, and estimates of groundfish catch to project when a fishery's halibut bycatch mortality allowance or seasonal apportionment is reached. Halibut incidental catch rates are based on observed estimates of halibut incidental catch in the groundfish fishery. DMRs are estimates of the proportion of incidentally caught halibut that do not survive after being returned to the sea. The cumulative halibut mortality that accrues to a particular halibut PSC limit is the product of a DMR multiplied by the estimated halibut PSC. DMRs are estimated using the best scientific information available in conjunction with the annual BSAI stock assessment process. The DMR methodology and findings are included as an appendix to the annual BSAI groundfish SAFE report.

In 2016, the DMR estimation methodology underwent revisions per the Council's recommendation. An interagency halibut working group (IPHC, Council, and NMFS staff) developed improved estimation methods that have undergone review by the Plan Team, SSC, and the Council. A summary of the revised methodology is included in the BSAI proposed 2017 and 2018 harvest specifications (81 FR 87863, December 6, 2016), and a comprehensive discussion of the working group's statistical methodology is available from the Council (see **ADDRESSES**). The DMR working group's revised methodology is intended to improve estimation accuracy, transparency, and transferability used for calculating DMRs. The working group will continue to consider improvements to the methodology used to calculate halibut mortality, including potential changes to the reference period (the period of data used for calculating the DMRs). The methodology continues to ensure that NMFS is using DMRs that accurately reflect halibut mortality, which will inform the sectors of their estimated halibut mortality and allow sectors to respond with methods that could reduce mortality and, eventually, the DMR for that sector.

At the October and December 2024 meetings, the SSC, AP, and the Council concurred with the continued use of the revised DMR estimation methodology, and NMFS adopts for 2025 and 2026 the DMRs calculated under the revised methodology. The final 2025 and 2026 DMRs in this rule are unchanged from the DMRs in the proposed 2025 and 2026 harvest specifications (89 FR 96186, December 4, 2024). Table 20 lists these final 2025 and 2026 DMRs.

TABLE 20—2025 AND 2026 PACIFIC HALIBUT DISCARD MORTALITY RATES (DMR) FOR THE BSAI

Gear	Sector	Halibut discard mortality rate (percent)
Pelagic trawl	All	100
Non-pelagic trawl	Mothership and CP	86
Non-pelagic trawl	CV	67
Hook-and-line	CV	9
Hook-and-line	CV	9
Pot	All	21

Note: The halibut DMRs are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.

CDQ Group Quotas

In 2006, Public Law 109–241 amended section 305(i)(1) of the Magnuson-Stevens Act (16 U.S.C. 1855(i)). This law specifies the allocation of CDQ groundfish among the six CDQ groups. The six CDQ groups are the Aleutian Pribilof Island Community Development Association (APICDA), Bristol Bay Economic Development Corporation (BBEDC), Central Bering Sea Fisherman's Association (CBSFA), Coastal Villages Regional Fund (CVRF), Norton Sound Economic Development Corporation (NSEDC), and Yukon Delta Fisheries Development Association (YDFDA). NMFS published the CDQ and CDQ PSQ percentages on August 31, 2006 (71 FR 51804, August 31, 2006). The groundfish and PSC amounts for each CDQ group are based on those percentages and applied to the total 2025 CDQ amounts in these harvest specifications. Those amounts for each CDQ group for 2025 are shown in table 21. The amounts for 2026 will be calculated in conjunction with the final 2026 and 2027 harvest specifications.

TABLE 21—2025 CDQ PROGRAM QUOTA CATEGORIES, TARGET CDQ RESERVES, PROHIBITED SPECIES QUOTA (PSQ) RESERVES, AND CDQ GROUP QUOTAS

Groundfish CDQ species	CDQ group quotas						
	Species or Species Group	APICDA	BBEDC	CBSFA	CVRF	NSEDC	YDFDA
Groundfish units are in metric tons.							
BS Pollock A season	8,662.5	12,993.8	3,093.8	14,850.0	13,612.5	8,662.5	61,875
BS Pollock B season	10,587.5	15,881.3	3,781.3	18,150.0	16,637.5	10,587.5	75,625
BS Pollock Total	19,250.0	28,875.0	6,875.0	33,000.0	30,250.0	19,250.0	137,500
AI Pollock	266.0	399.0	95.0	456.0	418.0	266.0	1,900
BS Fixed Gear Sablefish	127.4	169.9	135.9	0.0	152.9	263.4	850
AI Fixed Gear Sablefish	166.7	226.3	35.7	321.6	273.9	166.7	1,191
BS Sablefish	66.9	70.1	28.7	41.4	41.4	70.1	319
AI Sablefish	38.7	29.8	11.9	19.4	17.9	31.3	149
BS Pacific cod	2,208.4	2,993.2	1,266.7	2,562.5	2,554.0	2,710.7	14,295
AI Pacific cod	143.7	194.8	82.4	166.8	166.2	176.4	930
WAI Atka Mackerel	595.7	297.8	158.8	297.8	278.0	357.4	1,986
CAI Atka Mackerel	784.6	392.3	209.2	392.3	366.2	470.8	2,615
EAI/BS Atka Mackerel	1,251.9	626.0	333.8	626.0	584.2	751.1	4,173
Yellowfin Sole	4,044.6	3,466.8	1,155.6	866.7	1,011.2	3,900.2	14,445
Yellowfin Sole ABC reserves	3,782.2	3,265.4	1,092.2	867.2	994.6	3,646.9	13,649
Rock Sole	1,926.0	1,845.8	642.0	882.8	882.8	1,845.8	8,025
Rock Sole ABC reserves	2,118.3	2,030.0	706.1	970.9	970.9	2,030.0	8,826
BS Greenland Turbot	22.7	28.4	11.4	24.2	27.0	28.4	142
Arrowtooth Flounder	329.6	329.6	134.8	194.7	179.8	329.6	1,498
Flathead Sole	770.4	808.9	346.7	577.8	577.8	770.4	3,852
Flathead Sole ABC reserves	1,023.1	1,074.2	460.4	767.3	767.3	1,023.1	5,115
WAI Pacific Ocean Perch	369.2	184.6	98.4	184.6	172.3	221.5	1,231
CAI Pacific Ocean Perch	178.4	89.2	47.6	89.2	83.3	107.1	595
EAI Pacific Ocean Perch	201.5	100.8	53.7	100.8	94.0	120.9	672
PSQ							
Halibut PSQ is in metric tons. Crab and salmon PSQ are in number of animals							
Zone 1 Red King Crab	2,491	2,180	830	1,245	1,245	2,387	10,379
Zone 1 Bairdi Tanner Crab	27,264	25,166	8,389	8,389	8,389	27,264	104,860
Zone 2 Bairdi Tanner Crab	76,270	73,092	25,423	34,957	31,779	76,270	317,790
COBLZ Opilio Tanner Crab	343,738	329,988	109,996	137,495	109,996	343,738	1,374,950
Pacific Halibut	69	69	28	38	38	72	315
BS Chinook Salmon A season	547	820	195	937	859	547	3,906
BS Chinook Salmon B season	139	208	50	238	218	139	990
BS Chinook Salmon total	685	1,028	245	1,175	1,077	685	4,896
AI Chinook Salmon	7	11	3	13	12	7	53
Non-Chinook Salmon	629	944	225	1,079	989	629	4,494

Refer to § 679.2 for definitions of areas and zones.

Directed Fishing Closures

In accordance with § 679.20(d)(1)(i), the Regional Administrator may establish a DFA for a species or species group if the Regional Administrator determines that any allocation or apportionment of a target species has been or will be reached. If the Regional Administrator establishes a DFA, and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified subarea, regulatory area, or district (see § 679.20(d)(1)(iii)). Pursuant to § 679.21(b)(4) and (e)(7), if the Regional Administrator determines that a fishery category's bycatch allowance of halibut, red king crab, *C. bairdi* crab, or *C. opilio* crab for a specified area has been reached, the Regional Administrator will prohibit directed fishing for each species or species group in that fishery category in the area specified by regulation for the remainder of the season or fishing year.

Based on historical catch patterns and anticipated fishing activity, the Regional Administrator has determined that the groundfish allocation amounts in table 22 will be necessary as incidental catch to support other anticipated groundfish fisheries for the 2025 and 2026 fishing years. Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the DFA for the species and species groups in table 22 as zero mt. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing for these sectors and species or species groups in the specified areas effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026. Also, for the BSAI trawl limited access sector, bycatch allowances of halibut, red king crab, *C. bairdi* crab, and *C. opilio* crab listed in table 22 are insufficient to support directed fisheries for the species and species groups listed in table 22. Therefore, in accordance with § 679.21(b)(4)(i) and (e)(7), NMFS is prohibiting directed fishing for these sectors, species, and fishery categories in the specified areas effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.

TABLE 22—2025 AND 2026 DIRECTED FISHING CLOSURES [1]

[Groundfish and halibut amounts are in metric tons. Crab amounts are in number of animals.]

Area	Sector	Species	2025 Incidental catch allowance	2026 Incidental catch allowance
Bogoslof District	All	Pollock	250	250
Aleutian Islands subarea	All	Greenland Turbot	224	177
Aleutian Islands subarea	All	ICA pollock	3,000	3,000
		"Other rockfish" [2]	415	415
Aleutian Islands subarea	Trawl non-CDQ, Non-Amendment 80.	Sablefish	1,687	1,581
Eastern Aleutian District/Bering Sea	All	ICA Atka mackerel	800	800
Eastern Aleutian District/Bering Sea	All	Blackspotted/Rougheye rockfish	347	375
Eastern Aleutian District	All	ICA Pacific ocean perch	100	100
Central Aleutian District	All	ICA Atka mackerel	100	100
		ICA Pacific ocean perch	60	60
Western Aleutian District	All	ICA Atka mackerel	20	20
		ICA Pacific ocean perch	10	10
Western and Central Aleutian Districts.	All	Blackspotted/Rougheye rockfish	298	325
Bering Sea subarea	Trawl non-CDQ, non-Amendment 80.	Sablefish	3,611	3,823
Bering Sea subarea	All	Pacific ocean perch	8,603	8,419
		"Other rockfish" [2]	415	415
		ICA pollock	46,000	46,000
Bering Sea and Aleutian Islands	All	Shortraker rockfish	402	402
		Skates	23,499	23,499
		Sharks	340	340
		Octopuses	340	340
	Hook-and-line and pot gear	ICA Pacific cod	500	500
	All	ICA flathead sole	2,000	2,000
		ICA rock sole	3,000	3,000
	All	ICA yellowfin sole	2,000	2,000
	BSAI trawl limited access	Rock sole/flathead sole/Alaska plaice/other flatfish fishery category- halibut mortality, red king crab Zone 1, *C. opilio* COBLZ, *C. bairdi* Zone 1 and 2.		
		Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish fishery category—halibut mortality, red king crab Zone 1, *C. opilio* COBLZ, *C. bairdi* Zone 1 and 2.		
	Rockfish fishery category—red king crab Zone 1.			

Note: The directed fishing closures are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.

[1] Maximum retainable amounts may be found in table 11 to 50 CFR part 679.

[2] "Other rockfish" includes all *Sebastes* and *Sebastolobus* species except for dark rockfish, Pacific ocean perch, northern rockfish, blackspotted/rougheye rockfish, and shortraker rockfish.

Closures implemented under the final 2024 and 2025 BSAI harvest specifications for groundfish (89 FR 15484, March 4, 2024) remain effective under authority of these final 2025 and 2026 harvest specifications and until the date specified in those closure notifications. Closures are posted at the following website under the Alaska filter for Management Area: *https://www.fisheries.noaa.gov/rules-and-announcements/bulletins.* While these closures are in effect, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a fishing trip. These closures to directed fishing are in addition to closures and prohibitions found at 50 CFR part 679. NMFS may implement other closures during the 2025 and 2026 fishing years as necessary for effective conservation and management and consistent with the regulations at 50 CFR part 679.

Listed AFA CP Sideboard Limits

Pursuant to § 679.64(a), the Regional Administrator is responsible for restricting the ability of listed AFA CPs to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA fishery and from fishery cooperatives in the directed pollock fishery. These restrictions are set out as sideboard limits on catch. On February 8, 2019, NMFS published a final rule (84 FR 2723) that implemented regulations to prohibit non-exempt AFA CPs from directed fishing for all groundfish species or species groups subject to sideboard limits (see § 679.20(d)(1)(iv)(D) and table 54 to 50 CFR part 679). Section 679.64(a)(1)(v) exempts AFA CPs from a yellowfin sole sideboard limit because the final 2026 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is projected to be greater than 125,000 mt. For 2025, the final yellowfin sole ITAC is below 125,000 mt. A sideboard limit will apply in 2025. Section 679.64(a)(1)(iii) sets the procedures for calculating AFA CP sideboards. The yellowfin sole sideboard limit for AFA CPs is 23 percent of the yellowfin sole TAC after subtracting the CDQ reserve in the BSAI. Therefore, in 2025 the AFA CP yellowfin sole sideboard limit will be 27,728 mt (table 23).

Section 679.64(a)(2) and tables 40 and 41 to 50 CFR part 679 establish a formula for calculating PSC sideboard limits for halibut and crab caught by listed AFA CPs. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007). PSC species listed in table 23 that are caught by listed AFA CPs participating in any groundfish fishery other than pollock will accrue against the final 2025 and 2026 PSC sideboard limits for the listed AFA CPs. Section 679.21(b)(4)(iii), (e)(3)(v), and (e)(7) authorizes NMFS to close directed fishing for groundfish other than pollock for listed AFA CPs once a final 2025 or 2026 PSC sideboard

limit listed in table 23 is reached. Pursuant to § 679.21(b)(1)(ii)(C) and (e)(3)(ii)(C), halibut or crab PSC by listed AFA CPs while fishing for pollock will accrue against the PSC allowances annually specified for the pollock/Atka mackerel/''other species'' fishery categories, according to § 679.21(b)(1)(ii)(B) and (e)(3)(iv).

TABLE 23—FINAL 2025 AND 2026 BSAI AFA LISTED CP PROHIBITED SPECIES AND 2025 YELLOWFIN SOLE SIDEBOARD LIMITS

PSC species and area [1]	Ratio of PSC catch to total PSC	2025 and 2026 PSC available to trawl vessels after subtraction of CDQ PSQ [2]	2025 and 2026 AFA CP sideboard limit [2]
Halibut mortality BSAI	n/a	n/a	286
Red king crab Zone 1	0.0070	86,621	606
C. opilio (COBLZ)	0.1530	11,475,050	1,755,683
C. bairdi Zone 1	0.1400	875,140	122,520
C. bairdi Zone 2	0.0500	2,652,210	132,611
Yellowfin sole [3]	0.2300	120,555	27,728

[1] Refer to § 679.2 for definitions of areas. The AFA listed CP prohibited species sideboard limits are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.

[2] Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.

[3] The 2025 AFA listed CP yellowfin sideboard limit is effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. Section 679.64(a)(1)(v) exempts AFA CPs from a yellowfin sole sideboard limit in 2026 because the final 2026 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is projected to be greater than 125,000 mt.

AFA CV Sideboard Limits

Pursuant to § 679.64(b), the Regional Administrator is responsible for restricting the ability of AFA CVs to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA fishery and from fishery cooperatives in the pollock directed fishery. Section 679.64(b)(3) and (b)(4) and tables 40 and 41 to 50 CFR part 679 establish formulas for setting AFA CV groundfish and halibut and crab PSC sideboard limits for the BSAI. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002), Amendment 80 (72 FR 52668, September 14, 2007), and Amendment 122 (88 FR 53704, August 8, 2023). Section 679.64(b)(6) exempts AFA CVs from a yellowfin sole sideboard limit because the final 2026 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is projected to be greater than 125,000 mt. For 2025, the final yellowfin sole ITAC is below 125,000 mt. A sideboard limit will apply in 2025. Section 679.64(b)(3)(iii) sets the procedures for calculating AFA CV sideboards. The yellowfin sole sideboard limit for AFA CVs is 6.47 percent of the yellowfin sole TAC after subtracting the CDQ reserve for the BSAI. Therefore, in 2025 the AFA CV yellowfin sole sideboard limit will be 7,800 mt (table 24).

On February 8, 2019, NMFS published a final rule (84 FR 2723) that implemented regulations to prohibit non-exempt AFA CVs from directed fishing for a majority of the groundfish species or species groups subject to sideboard limits (see § 679.20(d)(1)(iv)(D) and table 55 to 50 CFR part 679). The only remaining sideboard limit for non-exempt AFA CVs is for Pacific cod. Pursuant to Amendment 122 to the FMP, the Pacific cod sideboard limit is no longer necessary in the A and B seasons because directed fishing in the BSAI for Pacific cod by trawl CVs is now managed under the PCTC Program, and accordingly the sideboard limit is in effect in the C season only (§ 679.64(b)(3)(ii)). Table 24 lists the final 2025 and 2026 AFA CV groundfish sideboard limits.

TABLE 24—FINAL 2025 AND 2026 BSAI PACIFIC COD AND 2025 YELLOWFIN SOLE SIDEBOARD LIMITS FOR AMERICAN FISHERIES ACT CVS

[Amounts are in metric tons]

Fishery by area/gear/season	Ratio of 1997 AFA CV catch to 1997 TAC	2025 initial TAC for C season	2025 AFA CV sideboard limit	2026 initial TAC for C season	2026 AFA CV sideboard limit
Pacific cod BSAI	n/a	n/a	n/a	n/a	n/a
Trawl gear CV	n/a	n/a	n/a	n/a	n/a
Jun 10–Nov 1	0.8609	4,212	3,626	3,893	3,351
Yellowfin sole BSAI	0.0647	120,555	7,800	n/a	n/a

Note: The AFA CV Pacific cod sideboard limit is effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026. The 2025 AFA CV yellowfin sole sideboard limit is effective from 1200 hours, A.l.t., March 18, 2025, through 2400 hours, A.l.t., December 31, 2025. Section 679.64(b)(6) exempts AFA CVs from a yellowfin sole sideboard limit in 2026 because the final 2026 aggregate ITAC of yellowfin sole assigned to the Amendment 80 sector and BSAI trawl limited access sector is projected to be greater than 125,000 mt.

Halibut and crab PSC limits listed in table 25 that are caught by AFA CVs participating in any groundfish fishery other than pollock will accrue against the final 2025 and 2026 PSC sideboard limits for the AFA CVs. Section 679.21(b)(4)(iii), (e)(3)(v), and (e)(7) authorizes NMFS to close directed fishing for groundfish other than pollock for AFA CVs once a final 2025 or 2026 PSC sideboard limit listed in table 25 is reached. Pursuant to § 679.21(b)(1)(ii)(C) and (e)(3)(ii)(C), halibut or crab PSC by AFA CVs while fishing for pollock will accrue against

the PSC allowances annually specified for the pollock/Atka mackerel/''other species'' fishery categories under § 679.21(b)(1)(ii)(B) and (e)(3)(iv).

TABLE 25—FINAL 2025 AND 2026 AMERICAN FISHERIES ACT CV PROHIBITED SPECIES CATCH SIDEBOARD LIMITS FOR THE BSAI [1]

PSC species and area [1]	Target fishery category [2]	AFA CV PSC sideboard limit ratio	2025 and 2026 PSC limit after subtraction of PSQ reserves [3]	2025 and 2026 AFA CV PSC sideboard limit [3]
Halibut	Pacific cod trawl	n/a	n/a	n/a
	Pacific cod hook-and-line or pot	n/a	n/a	2
	Yellowfin sole total	n/a	n/a	101
	Rock sole/flathead sole/Alaska plaice/other flatfish [4]	n/a	n/a	228
	Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish.	n/a	n/a	
	Rockfish	n/a	n/a	2
	Pollock/Atka mackerel/other species [5]	n/a	n/a	5
Red king crab Zone 1	n/a	0.2990	86,621	25,900
C. opilio COBLZ	n/a	0.1680	11,475,050	1,927,808
C. bairdi Zone 1	n/a	0.3300	875,140	288,796
C. bairdi Zone 2	n/a	0.1860	2,652,210	493,311

[1] Refer to § 679.2 for definitions of areas. The AFA CV prohibited species sideboard limits are effective at 1200 hours, A.l.t., March 18, 2025, through 1200 hours, A.l.t., March 18, 2026.
[2] Target trawl fishery categories are defined at § 679.21(b)(1)(ii)(B) and (e)(3)(iv).
[3] Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.
[4] ''Other flatfish'' for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.
[5] ''Other species'' for PSC monitoring includes skates, sharks, and octopuses.

Response to Comments

NMFS received three letters raising 19 distinct comments during the public comment period for the proposed BSAI groundfish harvest specifications (89 FR 96186, December 4, 2024). NMFS's responses are below.

Comment 1: NMFS must reduce TAC to address food security and ways-of-life for communities reliant on marine resources like salmon.

Response: NMFS acknowledges that there are communities throughout Alaska that are reliant on marine resources like salmon that provide food security and are integral for ways-of-life. However, considering the best scientific information available, NMFS does not agree a reduction in TACs in the BSAI groundfish fisheries is warranted at this time. NMFS's response to Comment 2 comprehensively addresses how NMFS manages to minimize bycatch in the BSAI groundfish fisheries. NMFS's response to Comment 13 explains how changes in TACs are not expected to result in reductions in salmon PSC. Therefore, we focus our response to this comment on explaining the TAC setting process and why TAC reductions are not warranted at this time.

The annual TAC setting process is a robust, expansive process that involves significant scientific input and includes consideration of current environmental and ecosystem factors (*e.g.,* climate variability) and other marine resources (*e.g.,* salmon and halibut). Scientists from the AFSC prepare the assessment using sophisticated statistical analyses of fish populations and draft the written assessment for a species or species group. The assessments for the BSAI are informed by the most recent survey and harvest data available, including multiple annual surveys in the Eastern Bering Sea (EBS) and biennial surveys in the AI. The stock assessments then undergo rigorous review, during public meetings, by the scientists and resource managers on the Plan Team and SSC.

During this annual TAC setting process, the Plan Team, SSC, AP, and Council review several sources comprising the best scientific information available—the ESRs, Ecosystem and Socioeconomic Profiles (ESP), stock assessments, and Plan Team report—and incorporate them into their OFL, ABC, and TAC recommendations to NMFS. NMFS reviews the same information for its annual decision to implement the OFLs, ABCs, and TACs for BSAI groundfish. Updates on salmon abundance estimates, commercial salmon catch, and the physical environment are included in the ESR and ESP. For an overview of the ESR and ESP, refer to the response to Comment 3.

The stock assessment author and Plan Team make a recommendation for OFL and ABC for each species and species group, and the SSC may concur with this recommendation or make a different recommendation. Ultimately, the SSC recommends the OFL and ABC (*i.e.,* the biological reference points), and, because the TAC cannot exceed the ABC, this informs the setting of the TAC (the harvest target/limit) for each species and species group. (See section 3.2.3.4.1 of the FMP and 50 CFR 600.310(g)(4)). This ensures that the TAC for each species and species group does not exceed the scientific recommendations for OFL and ABC.

OFL and ABC are calculated using prescribed methods set forth in the FMP. The FMP specifies a series of six tiers to define OFL and ABC amounts based on the level of reliable information available to fishery scientists. Tier 1 represents the highest level of information quality available, while Tier 6 represents the lowest. The methods for calculating OFL and ABC (including the ABC control rule) become more precautionary depending on the tier and stock status: for example, with less reliable information the larger the buffer (reduction) between OFL and ABC, and as stock status declines the OFL and ABC are reduced.

The specification of ABC is informed by the ecosystem, environmental, and socioeconomic factors presented in the ESRs and in the stock assessment, specifically the stock-specific risk table prepared for each stock as well as an additional ecosystem considerations section prepared for full/operational assessments like pollock. For EBS pollock, for example, the ecosystem considerations section of the stock assessment analyzes the fishery's effects on the ecosystem, including assessments of the pollock fishery's bycatch of non-target species like salmon.

The ESRs provide information on the status of PSC species like salmon, halibut, and crab. The 2024 ESRs included information on salmon in the BS ecosystem and AI ecosystem, including a synthesis of the status of adult and juvenile chum, king, and sockeye salmon; updated information

on the abundance of salmon; fish condition and trends; trends in the run size of Bristol Bay sockeye salmon; the increasing abundance and role of eastern Kamchatka pink salmon in the Aleutian Islands; and trends in directed commercial catch of salmon. The 2024 EBS ESR also included an overview of foraging and energetics for halibut, and the 2024 AI ESR evaluated changes in the biomass of fish apex predators, including halibut. The 2024 EBS ESR evaluated trends influencing commercial crab stock biomass (including snow crab).

In short, the annual process for specifying TACs for groundfish in the BSAI is a thorough, scientifically driven process informed by the best available information on the status of target and bycatch species and the marine ecosystems off Alaska, as well as socioeconomic and harvest data. The 2025 and 2026 TACs were developed through this process and account for ecosystem, environmental, and socioeconomic factors, including bycatch of non-target species like salmon. NMFS has therefore determined that the 2025 and 2026 TACs are consistent with the biological condition of groundfish stocks as described in the 2024 SAFE report and are consistent with the Magnuson-Stevens Act and other regulations because they are based on the best scientific information available (16 U.S.C. 1851(a)(2); 50 CFR 600.315) and none of the final TACs exceed the final ABCs (16 U.S.C. 1851(a)(1); 50 CFR 600.310). The 2024 SAFE report is available at *https://www.fisheries.noaa.gov/alaska/population-assessments/2024-north-pacific-groundfish-stock-assessments#bering-sea-and-aleutian-islands-stock-assessments.*

The FMP and implementing regulations direct that the sum of the TACs specified for the BSAI ''must be within the OY range specified'' in regulation, which for the BSAI is 1.4 to 2.0 million mt (§ 679.20(a)(1)(i)(A) and (a)(2)). This OY, which was previously recommended by the Council and approved by NMFS, is set forth in the FMP and in regulation, and is based on the sum of all TACs. NMFS has therefore determined that, in any given year, setting the TACs to fall within the OY range provides the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities and taking into account the protection of marine ecosystems and relevant economic, social, or ecological factors (§ 600.310(e)(3)).

For the 2025 and 2026 harvest specifications, NMFS concurs with the Council's recommendation that TACs fall within the upper bound of the OY range (*i.e.,* 2.0 million mt). Setting TACs to meet the upper bound of the OY range of 2.0 million mt, which represents a 44 percent reduction below the total groundfish ABC, balances relevant National Standard 1 considerations. Setting TACs at the higher bound of the OY will provide the greatest benefit for the Nation based on the benefits of maintaining viable groundfish fisheries and contributions to regional and local economies. The 44 percent reduction from total groundfish ABC recognizes the benefits that flow from that reduction, such as protections afforded to marine ecosystems, forage for ecosystem components, and other ecological factors (see § 600.310(e)(3)(iii)(A)–(B)). For 2025 and 2026, NMFS has specified TACs to sum to the upper end of the OY range, which NMFS has determined is consistent with the Magnuson-Stevens Act and National Standard 1, the FMP, and the harvest strategy analyzed in the Final EIS.

Comment 2: Salmon support Tribal ways-of-life and food security and are important for the cultural well-being of Alaska Native Tribes. NMFS must limit bycatch of salmon and other species to address food security and ways-of-life for communities reliant on marine resources like salmon.

Response: As described above in response to Comment 1, NMFS and the Council considered the status of Chinook and chum salmon and other PSC species like halibut and crab in the harvest specifications process. In addition, the harvest specifications announce bycatch limits for PSC species.

The Chinook bycatch limits are based on promulgated regulations implementing amendments 91 and 110 to the FMP. NMFS and the Council have previously taken comprehensive action through amendments 91 and 110 to the FMP and implementing regulations to reduce salmon bycatch in the pollock trawl fishery because of the potential for negative impacts on salmon stocks. Existing measures have reduced Chinook salmon bycatch in the pollock fishery. For total Chinook bycatch since 1991, see *https://www.fisheries.noaa.gov/sites/default/files/akro/chinook_salmon_mortality2025.html.*

Regulations set limits on how many Chinook salmon can be bycaught in a year in the Bering Sea pollock fishery, and those regulations require that NMFS announce the applicable Chinook salmon limits in the harvest specifications (§ 679.21(f)). Pursuant to § 679.21(f), NMFS annually allocates portions of either 33,318, 45,000, 47,591, or 60,000 Chinook salmon PSC limits among the AFA sectors, depending on: (1) past bycatch performance; (2) whether Chinook salmon bycatch incentive plan agreements (IPAs) are formed and approved by NMFS; and (3) whether NMFS determines it is a low Chinook salmon abundance year (§ 679.21(f)). NMFS will determine that it is a low Chinook salmon abundance year when abundance of Chinook salmon in western Alaska is less than or equal to 250,000 Chinook salmon, based on the estimate provided by the State. The State provides NMFS with an estimate of Chinook salmon abundance using the 3-System Index for western Alaska based on the Kuskokwim, Unalakleet, and Upper Yukon aggregate stock grouping.

For 2024, NMFS has determined it was a low abundance year based on the State's 3-System Index. In accordance with the regulations at § 679.21(f), NMFS has specified a Chinook salmon PSC limit of 45,000 Chinook salmon, and a Chinook salmon bycatch performance standard of 33,318 Chinook salmon for the 2025 fishing year. NMFS publishes the approved IPAs, allocations, and reports at *https://www.fisheries.noaa.gov/alaska/bycatch/chinook-salmon-bycatch-management-alaska.* Bycatch of salmon is posted on the NMFS website at *https://www.fisheries.noaa.gov/alaska/commercial-fishing/fisheries-catch-and-landings-reports-alaska* (under BSAI Prohibited Species).

For each fishing year, the Bering Sea pollock fleet is constrained by the limit of Chinook salmon PSC set in regulation (as explained above), regardless of the size of the pollock TAC and harvest. The AFA sectors are prohibited from continuing to fish if their Chinook salmon PSC limit has been exceeded. Further, if the sector exceeds its performance standard in 3 of 7 years, that sector becomes constrained by the performance standard in future years (meaning, the sector would be subject to a lower PSC limit in future years).

Regulations set limits on Chinook salmon PSC for the AI pollock fishery and non-Chinook salmon PSC for vessels using trawl gear (§ 679.21(f)(14) and (g)). These are static limits set in regulations and are included in the groundfish harvest specifications each year. Regulations also set limits on halibut PSC in the groundfish fisheries. Section 679.21(b)(1) establishes a fixed halibut PSC limit of 745 mt for the BSAI trawl limited access sector. The Council and NMFS apportion for seven trawl fishery categories a PSC allowance from

the fixed limit of 745 mt. Halibut PSC in the pollock fisheries accrues to a specific fishery category—the pollock/Atka mackerel/other species fishery category—as specified in regulations. For 2025 and 2026, the halibut PSC allowance for the pollock/Atka mackerel/other species fishery category is 175 mt (see table 18). Regulations also set limits on crab PSC. These limits are based on the abundance of crab from the most recent survey data such that limits decrease as abundance decreases (§ 679.21(e)(1)). Each year NMFS determines which of the regulatory limits applies based on the most recent survey data and announces the limits in the groundfish harvest specifications (see table 16 for final 2025 PSC limits for red king crab, snow crab (*C. opilio*), and Tanner crab (*C. bairdi*)). These specifications apportion the crab limits set in regulation amongst some target fisheries, but the overall limits of crab PSC are set by regulation and survey results.

Ultimately, NMFS manages bycatch in the pollock fishery through a variety of tools that apply at all levels of pollock TAC. The tools for bycatch include the Chinook salmon PSC limits (which are announced in these annual harvest specifications), halibut and crab PSC limits set in regulation (which are also announced in these annual harvest specifications), IPAs to address Chinook and chum bycatch, and a comprehensive monitoring program to collect data on bycatch, including salmon, halibut, and crab bycatch. The information from this monitoring program is used to estimate bycatch, including how many Chinook and chum salmon are caught as bycatch from trawl vessels, where those fish originated from, and whether a potential violation of law occurred.

NMFS acknowledges the western Alaska salmon crisis and the impact it is having on Tribal ways-of-life, cultural well-being, and food security throughout western Alaska. Science indicates climate change as the primary driver of poor chum salmon returns in western Alaska. Scientists from NMFS and the State found that recent heat wave events created conditions where energy allocation and prey quality was affected and added stress to western Alaska chum salmon at critical life stages (see Farley, Jr., *et al.,* 2024; *https://www.int-res.com/abstracts/meps/v726/p149-160*). A recent technical report for the North Pacific Anadromous Fish Commission expanded further and considered the role of heatwaves in overwinter survival for chum salmon (see Farley, Jr., *et al.,* 2025; *https://www.npafc.org/tr23-24/*). For other species like Chinook salmon, climate change is also an important driver of poor salmon returns in western Alaska and demographic shifts also appear important (see Feddern, *et al.,* 2024; *https://pubmed.ncbi.nlm.nih.gov/39377278/; see also* Howard & von Biela, 2023; *https://pubmed.ncbi.nlm.nih.gov/36661402/).* Scientists from NMFS will continue to study the impacts of climate change on salmon. The Council and NMFS will also continue to consider the status of salmon in the harvest specifications process; the 2024 EBS ESR, for example, provided a summary and synthesis on chum, Chinook, and sockeye salmon, including the different species' responses to climate conditions.

NMFS also recognizes that salmon bycatch may be a contributing factor to the current status of salmon in western Alaska. As discussed in the response to Comment 13, the best scientific evidence indicates that the numbers of the ocean bycatch that would have returned to western Alaska rivers would be relatively small due to ocean mortality and the large number of other river systems, and hatchery production, contributing to the total Chinook or chum salmon bycatch.

NMFS and the Council are committed to continued improvements in bycatch management with a goal of minimizing bycatch at all levels of abundance for target species (*e.g.,* pollock) and PSC species (*e.g.,* halibut, salmon). For example, in 2023 NMFS approved Amendment 123 to the FMP and implementing regulations (see *https://www.fisheries.noaa.gov/action/amendment-123-fishery-management-plan-groundfish-bering-sea-and-aleutian-islands*). Amendment 123 changed the PSC limit for the Amendment 80 sector from a static limit to an abundance-based limit. The halibut PSC limit for the Amendment 80 sector is now determined annually based on the most recent halibut biomass estimates from the IPHC setline survey index and the NMFS AFSC Eastern Bering Sea shelf trawl survey index. More details are provided in the earlier section *PSC Limits for Halibut, Salmon, Crab, and Herring.*

Currently, NMFS and the Council are engaged in a comprehensive process to evaluate existing measures and develop alternatives to further reduce chum salmon bycatch. The Council and NMFS most recently considered management measures for chum salmon bycatch at a February 2025 special meeting of the Council (see Agenda Item C2 at *https://meetings.npfmc.org/Meeting/Details/3071*). The proposed management measures (meaning, changes to existing federal regulations) aim to reduce chum salmon bycatch in the pollock fishery, particularly Western Alaska chum salmon bycatch. The range of management alternatives being considered includes limits or ''caps'' on the number of chum salmon that may be caught in the pollock fishery and closure of all or part of the Bering Sea to pollock fishing once a cap is met, as well as changes to the IPAs. More information on salmon bycatch and management can be found at *https://www.npfmc.org/fisheries-issues/bycatch/salmon-bycatch/.*

However, the PSC limits and the conditions that affect the limits are set in regulations, and changes to those regulations are outside of the scope of the annual harvest specification process. NMFS believes that changes to bycatch management of all prohibited species, including Chinook salmon, chum salmon, halibut, and crab, are best accomplished through the Council process to recommend FMP amendments and regulations that NMFS would implement if consistent with the Magnuson-Stevens Act, the FMP, and other applicable law.

Comment 3: Management of fisheries, including TAC setting and PSC limits, should incorporate information on the Bering Sea and Aleutian Islands ecosystems, which are undergoing changes.

Response: Current processes and protocols incorporate ecosystem information into fisheries management, including the specification of TACs for BSAI groundfish. The annual process for specifying TACs for groundfish in the BSAI is a scientifically-driven process informed by the best available information on the status of the marine ecosystems off Alaska. Each year, ESRs are prepared for the BS and AI ecosystems (as well as the Gulf of Alaska (GOA) ecosystem). The intent of the ESRs is to provide the Plan Team, SSC, AP, Council, and NMFS, as well as the public, with a broad overview of the current status of the marine ecosystems. The ESRs are drafted by scientists and staff from NOAA, other federal and state agencies, academic institutions, Tribes, and non-profits, and they compile and summarize information about the status of the Alaska marine ecosystems and represent the best scientific information available. The ESRs include information on the physical environment and oceanography, climate data, biological data, marine resources, and socio-ecological dimensions to provide context for the specification of OFL, ABC, and TAC.

For example, the 2024 ESR for the EBS includes: (1) a synthesis of the

physical environment (*e.g.,* air and water temperatures, marine heatwaves, winds, sea ice, and cold pool); (2) an analysis of primary production including status, trends, and implications across the ecosystem (*e.g.,* phytoplankton and zooplankton like copepods); (3) an analysis of groundfish condition (such as length and weight), body condition of some species like pollock, seasonal food habits and patterns in foraging, natural mortality, and recruitment predictions based on environmental variables like temperature and nutrients; (4) an analysis of status, trends, and implications across the ecosystem for benthic communities and for non-target species and discards (*e.g.,* jellyfish, forage fish, herring, salmon, and crab) (see responses to Comment 1 and 2 for more details on salmon and crab); (5) integrated information on seabirds, like breeding and reproductive success for seabirds across the EBS (such as common murres), mortality, and implications across the ecosystem, seabird bycatch estimates, and marine mammal stranding reports; (6) emerging stressors (*e.g.,* ocean acidification, harmful algal blooms); and (7) other ecosystem and community indicators like stability of fish biomass as well as a sustainability index. The AI ESR includes similar information. Many of the sections of the respective ESRs outline trends and implications from the changes across the ecosystem and offer linkages across ecosystem variables. The 2024 ESRs are available at *https://www.fisheries.noaa.gov/alaska/ecosystems/ecosystem-status-reports-gulf-alaska-bering-sea-and-aleutian-islands#2024-alaska-marine-ecosystem-status-reports.*

Information from the ESRs are integrated in stock assessments, primarily through the risk tables that are prepared for each stock. The risk table includes evaluation of four considerations: (1) assessment-related; (2) population dynamics; (3) environmental/ecosystem; and (4) fishery performance. The risk table is meant to inform the specification of ABC by accounting for additional scientific uncertainty that is not addressed in the stock assessment model used to calculate OFL and ABC based on the stock's tier and the corresponding OFL and ABC control rules in the FMP. Because TAC cannot exceed ABC, reductions in ABC based on the risk table result in additional precaution in the catch limits for groundfish of the BSAI. The risk table can highlight changes in ecosystem conditions for consideration in specifying ABC. For example, in last year's EBS pollock SAFE report (2023), the risk table assessed several environmental and ecosystem considerations that warranted an elevated level of concern (including environmental/oceanographic factors related to climate, low levels of prey, and mixed trends in the status of potential competitors like jellyfish and salmon), and the SSC adopted a reduction of 18 percent for the ABC for EBS pollock for last year's specifications based on the elevated environmental and ecosystem risk identified in the 2023 stock assessment (for the final SSC report for the December 2023 Council meeting, see *https://meetings.npfmc.org/CommentReview/DownloadFile?p=f7e6149f-a0d5-496f-a64c-63077eb2165e.pdf&fileName=SSC%20Report%20Dec%202023_FINAL.pdf*).

Some stock assessments also include an individual ESP. The ESP was developed as a framework for organizing and evaluating ecosystem and socioeconomic information about an individual stock. The ESP informs environmental and ecosystem considerations, population dynamics, and fisheries performance in the risk table. For example, the ESP for EBS Pacific cod assesses ecosystem indicators that include physical indicators, lower tropic indicators, and upper trophic indicators; for ecosystem indicators, the ESP also assesses the relationship between each indicator and parameters in the EBS Pacific cod stock assessment (like natural mortality, growth, and recruitment). The 2024 ESP for EBS Pacific cod is available at *https://www.npfmc.org/wp-content/PDFdocuments/SAFE/2024/ESPpcod_app2.pdf.*

Stock assessment authors consider a variety of ecosystem-related factors when preparing their assessments, which are thoroughly reviewed by the Plan Team and the SSC through a public process. Stock assessment authors will include, if possible, relevant ecosystem-related factors into their modeling. Many models use variables that are potentially ecosystem-related, climate-impacted like size and condition of fish (*i.e.,* length and weight) and recruitment, and some models integrate specific environmental factors that have been influenced by climate variability, such as the extent of the cold pool and bottom temperature in the survey area.

The information from the ESRs, stock assessments, and ESPs allows the Plan Team, SSC, AP, Council, and NMFS to respond to ecosystem changes and stock changes in the BSAI and to adjust the harvest specifications as necessary. This is consistent with the FMP and the preferred harvest strategy analyzed in the Final EIS and implemented each year for the harvest specifications. The Final EIS contemplated that ABCs could be reduced based on ecosystem considerations (Chapter 11 of Final EIS). The harvest strategy is designed such that the most recent information would be used each year in setting the annual harvest specification. The process is flexible to incorporate current information on stock condition and harvest and environmental, ecosystem, and socioeconomic factors (*e.g.,* physical and ecosystem changes associated with climate variability). Similarly, the FMP contemplates ongoing consideration of relevant factors (*e.g.,* ecosystem considerations and climate variability) through the development of SAFE reports (section 3.2.2.2 of the FMP). The use of the most recent, best available information in the SAFE reports allows the Council and NMFS to respond to changes in stock condition and harvest and environmental, ecosystem, and socioeconomic factors in the BSAI and to adjust the harvest specifications as appropriate, which is also consistent with National Standard 2 of the Magnuson-Stevens Act to use the best scientific information available (16 U.S.C. 1851(a)(2)).

The ESRs compile the best scientific information available on the status of the Alaska ecosystems to provide context for the annual groundfish harvest specifications. Some indicators, such as seabird mortality events, marine mammal unusual mortality events, and climate-driven changes to fish species other than groundfish, warrant continuing examination of the changing ecosystem in relation to the health of groundfish stocks. When the condition of groundfish and the abundance of their stocks remain healthy, NMFS must assess all of the best scientific information available, consistent with National Standard 2, for specifying TACs for groundfish. And, NMFS remains committed to supporting science and research to continue to improve the process of effective ecosystem-based management by refining the existing tools (like ESRs and risk tables) and developing new tools for incorporating ecosystem and socioeconomic information into fisheries management decisions.

As noted in response to Comment 2, PSC limits and the conditions that affect the limits are set in regulations, and changes to those regulations are outside of the scope of the annual harvest specification process.

Comment 4: The Alaska Groundfish Harvest Specifications Final EIS is outdated and NMFS must prepare a new or supplemental EIS on the harvest specifications. New species listings and critical habitat designations, climate change (including changes such as marine heatwaves), vessel strikes and disturbance, entanglement, habitat impacts including pelagic trawl bottom contact, prey competition, bycatch of salmon and hatchery production of pink salmon, and plastics constitute significant new or cumulative information requiring supplementation. Supplementation is also necessary due to new information on salmon populations and changes in body size, poor body conditions in fish, low productivity for some species, mixed benthic productivity, low abundance of large copepods, the poor status of the Bering Sea snow crab stock, mixed success for seabirds, and declining apex predator counts.

Response: Groundfish harvests are managed subject to annual limits on the retained and discarded amounts of each species and species group. The ''harvest strategy'' is the method used to calculate these annual limits, referred to as ''harvest specifications,'' and the process of establishing them is referred to as the ''specifications process.'' NMFS prepared the Alaska Groundfish Harvest Specifications Final Environmental Impact Statement (Final EIS) to analyze the environmental, social, and economic impacts of alternative harvest strategies used to determine the annual harvest specifications for the federally managed groundfish fisheries in the GOA and BSAI management areas.

The purpose of the harvest strategy is to: (1) provide for orderly and controlled commercial fishing for groundfish; (2) promote sustainable incomes to the fishing, fish processing, and support industries; (3) support sustainable fishing communities; and (4) provide sustainable flows of fish products to consumers. The harvest strategy balances groundfish harvest in the fishing year with ecosystem needs (*e.g.,* non-target fish stocks, marine mammals, seabirds, and habitat). Importantly, the harvest strategy and specification process are designed to use the best available scientific information developed each year through the annual SAFE (including the ESR process) to calculate the status determination criteria, assess the status of each stock, and set the TACs.

In the Record of Decision (ROD), NMFS selected one of the alternative harvest strategies: to set TACs that fall within the range of ABCs recommended through the harvest specifications process that includes review by the Plan Team and SSC. NMFS concluded that the preferred harvest strategy analyzed in the Final EIS and selected in the ROD provides the best balance among relevant environmental, social, and economic considerations and allows for continued management of the groundfish fisheries based on the most recent, best scientific information. While the specific numbers that the harvest strategy produces may vary from year to year, the methodology used for the preferred harvest strategy remains constant. NMFS has not changed the harvest strategy or specifications process from what was analyzed in the Final EIS.

The harvest strategy employs the same process each year but is designed to consider the most current stock and ecosystem conditions so that the outputs of the process (OFLs, ABCs, and TACs) are adaptive and reflective of current conditions. Each year the strategy uses the best scientific information available in the annual SAFE reports to derive the annual harvest specifications for OFLs, ABCs, and TACs. Through this process, each year, the Council's Groundfish Plan Teams use updated stock assessments based on survey results and other biological data to calculate biomass, OFLs, and ABCs for each species and species group for specified management areas. The OFLs and ABCs are published with the harvest specifications, and provide the foundation for the Council and NMFS to develop the TACs. The OFLs and ABCs reflect fishery science, applied in light of the requirements of the FMPs. The Council uses the AP report as a basis for TAC recommendations, which are consistent with the SSC's OFL and ABC recommendations (*i.e.,* the TAC recommendations cannot exceed the SSC's ABC recommendations, and ABCs cannot exceed OFLs).

The Final EIS evaluated the consequences of alternative harvest strategies on ecosystem components and on the ecosystem as a whole. The Final EIS evaluated the alternatives for their effects within the action area. The environmental consequences of each alternative were considered for target species, non-specified species, forage species, prohibited species, marine mammals, seabirds, Essential Fish Habitat, ecosystem relationships, the economy, and environmental justice. These considerations were evaluated based on the conditions as they existed at the time the Final EIS was developed, but the Final EIS also anticipated potential changes in these conditions, including climate variability, could be incorporated, as appropriate, through the annual implementation of the harvest strategy. Each year since 2007 NMFS has considered relevant changes (*i.e.,* new information, changed circumstances, potential changes to the action) for the primary purpose of evaluating the need to supplement the Final EIS.

Agencies should prepare supplements to either draft or final environmental impact statements if a major federal action is incomplete or ongoing and: (i) the agency makes substantial changes to the proposed action that are relevant to environmental concerns; or (ii) there are substantial or significant new circumstances or information about the significance of adverse effects that bear on the analysis (Marsh v. Oregon Nat. Res. Council, 490 U.S. 360, 371–373 (1989); 40 CFR 1502.9(d)(1)). Ultimately, an agency is required to take a 'hard look' at the new information to assess whether supplementation might be necessary (*Norton* v. *S. Utah Wilderness All.,* 542 U.S. 55, 72–73 (2004)).

NMFS prepares a SIR for the Final EIS each year to take that ''hard look'' and document the evaluation and decision whether a supplemental EIS (SEIS) is necessary to implement the annual groundfish harvest specifications, consistent with the National Environmental Policy Act (NEPA) and NOAA's Policy and Procedures for Compliance with the National Environmental Policy Act and Related Authorities, Companion Manual for NOAA Administrative Order 216–6A. The Companion Manual authorizes NMFS's use of a SIR to document a review of new information or circumstances and determine the sufficiency of the existing NEPA analysis for implementing a component or step of the action analyzed in the existing analysis.

The SIR prepared each year for the annual harvest specifications analyzes the information contained in the most recent SAFE reports and all information available to NMFS and the Council to determine whether a SEIS must be prepared to implement the annual harvest specifications. The SAFE reports represent the best scientific information available for the harvest specifications. Included in the SAFE reports are the groundfish stock assessments and any ESPs, the ESRs, and the Economic Status Report. To date, no annual SIR to the Final EIS has concluded that a SEIS is necessary.

The SIR recognizes the preferred harvest strategy analyzed in the Final EIS and selected in the ROD was built on an annual process to compile and

utilize the most recent, best scientific information available on species abundance and condition, harvest and survey data, environmental and ecosystem factors, and socio-economic conditions. The Final EIS contemplates that the annual process was built on flexibility to allow for the implementation of annual harvest specifications that reflect new information and changing circumstances in the context of the considerations in the Final EIS. NMFS has determined that the 2025 and 2026 harvest specifications for the BSAI and GOA are consistent with the preferred alternative harvest strategy analyzed in the Final EIS because they were developed through the harvest specifications process, are within the OYs established for the BSAI and the GOA, and do not set TAC to exceed the ABC for any single species or species group.

The 2025 SIR assesses new information and circumstances. Based on the 2025 SIR, NMFS concluded that the best available, most recent information presented on species abundance and condition, harvest and survey data, environmental and ecosystem factors, and socio-economic conditions and used to set the 2025 and 2026 harvest specifications does not represent a significant change relative to the environmental impacts of the preferred harvest strategy analyzed in the Final EIS.

The Final EIS identifies reasonably foreseeable future actions, which inform the analysis in the SIR regarding new circumstances when relevant and which include catch share management, traditional fisheries management tools, ecosystem-sensitive management, and actions by other federal, state, and international agencies and private actions. The 2025 SIR assesses relevant information and circumstances regarding: (1) bycatch management of salmon, crab, and halibut; (2) habitat impacts; (3) seabirds; and (4) marine mammals, including Endangered Species Act (ESA) listed species like Steller sea lions, humpback whales, and fin whales, and unlisted species like northern fur seals, gray whales, and killer whales. In this assessment, the SIR relies on the 2024 SAFE reports, other analyses prepared to support NMFS management actions, updated catch and bycatch data, and other best available scientific information to conclude any new information and circumstances do not present a seriously different picture of the likely environmental harms of the action to occur—the annual implementation of the 2025 and 2026 groundfish harvest specifications—beyond what was considered in the Final EIS. More details are provided in the SIR (see **ADDRESSES**). Based on the SIR prepared in conjunction with these harvest specifications, NMFS determined that the 2025 and 2026 groundfish harvest specifications do not constitute a substantial change in the proposed action analyzed in the Final EIS and will not affect the human environment in a significant manner or to a significant extent not already considered in the Final EIS.

In sum, a new EIS is not necessary for NMFS to approve and implement the 2025 and 2026 groundfish harvest specifications for the BSAI and GOA because NMFS implements the specifications each year based on the harvest strategy analyzed as an alternative in the Final EIS and selected in the ROD. In short, NMFS already prepared an EIS that supports these final groundfish harvest specifications. And, NMFS has taken a ''hard look'' and determined, as documented in the SIR, that supplementation of the Final EIS is not required for NMFS to approve and implement the 2025 and 2026 groundfish harvest specifications for the BSAI and GOA.

Comment 5: NMFS should develop a programmatic EIS or otherwise supplement the Alaska Groundfish Programmatic Supplemental Environmental Impact Statement.

Response: As outlined in response to Comment 4, NMFS prepared the Alaska Groundfish Harvest Specifications Final EIS to analyze alternatives to implement the FMPs' harvest strategy and specifications process that is used to determine the annual harvest specifications for the federally-managed groundfish fisheries in the GOA and BSAI management areas. Separate from the Final EIS for the Alaska Groundfish Harvest Specifications, NMFS and the Council prepared the 2004 Alaska Groundfish Programmatic Supplemental Environmental Impact Statement (PSEIS). The PSEIS evaluated alternative policies and objectives for the management of the groundfish fisheries in the BSAI and GOA. The action analyzed in the PSEIS is different from the action analyzed in the Alaska Groundfish Harvest Specifications Final EIS, and as explained above NMFS implements the harvest specifications consistent with the Final EIS analyzing that action. This is consistent with actions taken since the PSEIS that rely on stand-alone NEPA analyses separate from the PSEIS for their implementation. In addition to the preparation of the Alaska Groundfish Harvest Specifications Final EIS in 2007, since the 2004 PSEIS the Council and NMFS have prepared the appropriate NEPA analyses for FMP amendments and regulatory changes to support the implementation of those specific FMP or regulatory changes. For examples, NMFS analyzed FMP and regulatory changes to amend PSC limits for salmon and halibut in separate EIS documents, including the EIS for amendment 91 to the FMP (salmon PSC limits) and the EIS for amendment 123 to the FMP (halibut PSC limit for the Amendment 80 sector). For the reasons outlined above, whether supplementation of the PSEIS is required is outside of the scope of this final rule to implement the groundfish harvest specifications for the BSAI.

NMFS further notes that the Council and NMFS have been considering a new action to revise the management policies, objectives, and goals for the groundfish fisheries, as well as for all Council-managed fisheries, off Alaska, and have considered this action could be evaluated through a Programmatic EIS. In June 2023, the Council requested that NMFS initiate the development of a Programmatic EIS to analyze alternatives for the revisions of policies, objectives, and goals for all Council-managed fisheries and solicit public input on the action. At its February 2024 meeting, the Council addressed the process for the development of a new Programmatic EIS to evaluate its action alternatives for management policies, objectives, and goals for fisheries off Alaska. In response to public testimony at that meeting from some Tribal groups and some stakeholders, the Council decided to delay action on the programmatic evaluation of management policies to allow for pre-scoping activities and Tribal consultations to receive input to further develop alternatives prior to formal scoping.

NMFS and the Council have continued to make progress since February 2024 on this programmatic evaluation while also respecting input from Tribes and other stakeholders to delay action. Following the February 2024 Council meeting, NMFS held a number of engagement sessions with Alaska Native Tribes to provide an overview of the programmatic evaluation and process for revisions to Council management policies, goals, and objectives and to solicit feedback from Tribes. In conjunction with the Council meeting in June 2024, the Council held a Climate Scenarios Workshop in part to gather ideas and input that could inform potential management changes. The Council has continued to engage in climate

readiness planning discussions and receive reports and updates at its meetings that could inform potential management policies, goals, and objectives related to this action.

The Council is currently scheduled to consider the programmatic evaluation at the April 2025 meeting. At this early stage of the process, the Council and NMFS do not know precisely what action alternatives might be included as part of the programmatic evaluation and whether or how it might affect the harvest strategy analyzed in the Final EIS for the Alaska Groundfish Harvest Specifications. There will be continued opportunities for the public to engage and provide comments on alternatives for analysis for the programmatic evaluation of potential revisions to Council management policies, goals, and objectives.

Comment 6: NMFS must account for climate change in its decision-making. There has been significant warming in the Arctic and marine heatwaves. NMFS should look at implications from the loss of sea ice and impacts of a changing climate on fish populations. There have been a number of studies on these changes in the marine ecosystem and impacts to fish, crabs, seabirds, marine mammals, and other species in the ecosystem (including poor body conditions in fish, impacts to salmon and body size and condition, low productivity for some species, mixed benthic productivity, low abundance of large copepods, the poor status of the Bering Sea snow crab stock, mixed success for seabirds, declining apex predator counts, and impacts to humpback whales, Steller sea lions, and gray whales).

Response: NMFS's decision-making on the annual implementation of the harvest specifications accounts for changes in the environment, including climate data, consistent with the harvest strategy in the FMP and analyzed in the Final EIS. The Final EIS analyzed alternatives for an implementing framework for the BSAI and GOA harvest strategy and evaluated the potential effects of those alternatives on the human environment (see responses to Comments 3 and 4). The Final EIS examined existing physical and oceanographic conditions in the BSAI and GOA, and addressed climate and ecological regime shifts, warming and loss of sea ice, and acidification (see Chapter 3.5 of the Final EIS), as well as systemic ecosystem impacts (see Chapter 11 of the Final EIS).

Moreover, the framework process for the preferred harvest strategy under the Final EIS allows for the effects of climate variability to be considered in the annual process for setting the harvest specifications. As addressed in response to Comment 3, the annual ESRs are part of the SAFE reports that the Council and the Plan Teams, SSC, and AP annually review prior to the review of the stock assessments and advancing recommendations to NMFS for the annual OFLs, ABCs, and TACs. The purpose of the ESRs is to provide the Council, scientific community, and the public, as well as NMFS, with annual information about ecosystem status and trends, and they include physical oceanography, biological data, and socio-ecological dimensions, primarily collected from AFSC surveys with collaboration from a range of government and non-government partners. The ESRs provide the scientific review body (the SSC) with context for the annual biological reference points (OFLs and ABCs), and for the Council's final TAC recommendations for groundfish, which are constrained by those biological reference points. Information from the ESRs are also integrated into the annual harvest recommendations through inclusion in stock assessment-specific risk tables. There are many examples of climate data and variability considerations presented in the ESRs, including: (1) physical indicators and oceanographic metrics (*e.g.,* sea surface and bottom temperatures, marine heatwaves, and sea-ice and cold pool extents); (2) impacts from oceanographic changes (*e.g.,* changes in sea ice and cold pool extents resulting in distributional shifts (northward) in stocks); (3) metabolic demands and foraging conditions tied to declining conditions for groundfish during recent marine heatwaves; (4) impacts of anomalously warm conditions in the marine and river environments on juveniles and adults of certain salmon stocks; and (5) emerging stressors like ocean acidification and implications for species (*e.g.,* crab). More details on climate related considerations summarized in the ESRs can be found in the ESRs for the EBS, AI, and GOA at *https://www.fisheries.noaa.gov/alaska/ecosystems/ecosystem-status-reports-gulf-alaska-bering-sea-and-aleutian-islands.*

In past years, the Plan Teams and SSC have recommended ABC reductions based on environmental and ecosystem considerations. As explained in response to Comment 3, stock assessments use a stock-assessment specific risk table that is applied by evaluating the severity of four types of considerations (*i.e.,* assessment-related, population dynamics, environmental/ecosystem, and fishery performance) that could be used to support a scientific recommendation to reduce the ABC. These risk tables are now prepared as part of the stock assessment process for groundfish stocks and help inform the setting of ABC (which in turn informs the setting of TAC). These risk tables summarize scientific uncertainty that is not otherwise captured in the application of the tier system and control rules to calculate ABCs in the assessments, including assessment-related considerations. In 2023, based on current information from the stock assessments, the condition of every stock was within two standard deviations of the long term mean condition (with the exception of northern rock sole); similarly, in 2024, the condition of every species fell within a single standard deviation of the long term mean. For some fishes, such as large pollock and yellowfin sole, conditions increased in the past year.

Finally, the FMP indicated that the ongoing consideration of ecosystem and ecological factors like climate variability would be addressed annually in the SAFE reports. (See sections 3.2.2.2 and 3.2.3.1.2 of the FMP), as is currently the case with both individual stock assessments and the ESRs. As a result, the annual harvest specifications process, which implements the preferred harvest strategy under the Final EIS, allows for the consideration of the best scientific information available on climate variability and associated effects on fish populations (16 U.S.C. 1851(a)(2)).

Comment 7: The BSAI groundfish specifications are based upon a rigorous public process that includes the best available science when setting OFLs, ABCs and TACs, including climatic, ecosystem, and socioeconomic data and analyses. TAC setting includes consideration of socioeconomic dimensions. This process combined with statutorily mandated limits results in a very conservative and precautionary final result.

Response: NMFS agrees with this comment. For more details on the groundfish harvest specifications process, see responses to Comments 1, 2, 3, and 4. As noted by the commenter, the process is driven by statutory and regulatory requirements. The Magnuson-Stevens Act directs that the Council's recommended annual catch limits (ACL) cannot ''exceed the fishing level recommendations of its [SSC]'' (16 U.S.C. 1852(h)(6)). NMFS has interpreted ''fishing level recommendation'' to be the ABC recommendation from the SSC (§ 600.310(b)(2)(v)(D)). This ensures that

the ACL does not exceed the ABC developed by the SSC. Under the FMP, the ACL is equal to the ABC, and the annual TAC specified for each stock must be lower than or equal to the ABC. (See sections 3.2.3.3.2 and 3.2.3.4 of the FMP). This is in accord with National Standard 1 and regulations that the TAC cannot exceed the ABC/ACL (§ 600.310(g)(4)), and ABC cannot exceed OFL (§ 600.310(f)(3) and (4)). The SSC recommends for each species and species group an OFL and an ABC. NMFS specifies TAC after consultation with the Council, and annual determinations of TAC are based on review of both the biological condition of the specific species or species group and socioeconomic considerations that are consistent with the goals of the groundfish FMPs (§ 679.20(a)(2) and (3)). These socioeconomic considerations include the need to promote efficiency in the utilization of fishery resources, including minimizing costs; the need to manage for the optimum marketable size of a species; the impact of groundfish harvests on prohibited species and the domestic target fisheries that utilize these species; the desire to enhance depleted stocks; the seasonal access to the groundfish fishery by domestic fishing vessels; the commercial importance of a fishery to local communities; the importance of a fishery to subsistence users; and the need to promote utilization of certain species.

In the BSAI, the sum of all TACs exceeds the sum of all ABCs (for 2025, the sum of final ABCs is 3,588,065 mt, and final TACs is 2,000,000 mt, a reduction of 44 percent). As a result, TACs for pollock and other species are often set lower than the ABC to ensure the sum of all TACs falls within the OY range (see § 679.20(a)(1)(i)(A) and (a)(2)). While there is precaution built into the specification of each ABC (a reduction from OFL, representing scientific uncertainty) and TAC (a reduction from ABC, representing management uncertainty) for each species or species group (see responses to Comments 1, 3, and 8), the OY range is constraining and also precautionary across the ecosystem in the BSAI. Fishery removals (TAC) are reduced from the ABC so as not to exceed OY and therefore also reduce impacts to the ecosystem from fishing for groundfish species.

Comment 8: NMFS should act with more precaution in specifying TACs. One study shows stock assessment models may be underestimating risk.

Response: As explained in response to Comments 1, 3, and 7, there is precaution built in throughout the harvest strategy and annual stock assessment process for specifying OFLs, ABCs, and TACs for Alaska groundfish stocks that addresses uncertainty and risk. First, OFL and ABC are calculated using prescribed methods set forth in the FMP. These methods become more precautionary depending on the tier and stock status: for example, with less reliable information the larger the buffer (reduction) between OFL and ABC, and as stock status declines the OFL and ABC are reduced. Precaution built into the specification of OFL and ABC also influences TAC as TAC cannot exceed ABC and ABC cannot exceed OFL. Second, risk tables are a new tool prepared for Alaska groundfish stocks to specifically address uncertainty across four considerations (which includes assessment-related concerns and risks). These risk tables are prepared for each stock assessment and inform the specification of ABC by accounting for additional scientific uncertainty that is not addressed in the stock assessment model that is used to calculate OFL and ABC based on the stock's tier and the corresponding OFL and ABC control rules in the FMP. Because TAC cannot exceed ABC, reductions in ABC for scientific uncertainty based on the risk table result in additional precaution in the catch limits (TACs) for groundfish of the BSAI. Third, the sum of all TACs must be within the OY range, which in the BSAI constrains the TACs that NMFS can implement. Since the sum of all TACs in the BSAI well exceeds the upper range of OY, even though TACs can be set up to ABC, some TACs must be set lower than ABCs to ensure the sum of all TACs falls within the OY range (see § 679.20(a)(1)(i)(A) and (a)(2)). The OY range is therefore constraining and precautionary across the ecosystem in the BSAI by reducing fishery removals up to the TACs implemented in this final rule, which further reduces impacts to the ecosystem from fishing for groundfish species. Finally, the specification of TACs also accounts for management uncertainty. As defined in the FMP and consistent with National Standard 1 regulations, TAC is the annual catch target for a stock or stock complex, derived from the ABC by considering social and economic factors and management uncertainty (*i.e.,* uncertainty in the ability of managers to constrain catch so the ACL is not exceeded, and uncertainty in quantifying the true catch amount). (See FMP section 3.2.1, and § 600.310(f) and (g)(4)). The FMP further provides that TAC may be lower than the ABC if warranted on the basis of bycatch considerations, management uncertainty, or socioeconomic considerations, or if required in order to cause the sum of the TACs to fall within the OY range (section 3.2.3.4.1).

Comment 9: The age-3 plus pollock biomass is estimated to be over ten million tons and is more than sufficient to support a TAC of 1.375 million mt. The 2024 EBS bottom trawl survey estimated the pollock biomass at 1.66 times higher than the long term mean estimate since 1982, and the abundance of age-1 pollock in 2024 was slightly above average and the highest since 2019, which is a positive indicator for the longer-term health of the pollock stock. Given the current status of the stock, the OFL and ABC could support a much higher TAC than 1.375 million mt TAC.

Response: Consistent with the National Standard 1 guidelines, NMFS may implement a TAC up to the ABC (§ 600.310(g)(4)). For 2025, the Bering Sea pollock final ABC is 2,417,000 mt and the final TAC is 1,375,000 mt, a reduction of 43 percent from the ABC. The TAC implemented for Bering Sea pollock is based on the recommendations of the AP and the Council, after public comment at the December 2024 Council meeting, and after the public comment period on the proposed harvest specifications. It is based on the biological condition of the pollock stock and other socio-economic considerations and is reduced, among TACs for other species, so that the sum of all TACs for the BSAI is within the OY range (§ 679.20(a)(2) and (3)).

Comment 10: The impacts of the pollock fishery on the ecosystem have been thoroughly examined. The harvest is well within historical norms. There is a regular Essential Fish Habitat review process associated with this fishery.

Response: The impacts of the pollock fishery have been examined in various documents, including in the annual SAFE report chapters for pollock and in several NEPA documents supporting FMP amendments and regulatory changes (see response to Comment 11). Each year's TAC amount for pollock is informed by a significant amount of data, modeling, and research. This includes annual surveys, updated catch information, weight and age data, updated statistical modeling, and risks that may fall outside of the stock estimation process. Information on habitat disturbance has been evaluated in the Essential Fish Habitat 5-Year Reviews and information can be found at *https://www.fisheries.noaa.gov/alaska/habitat-conservation/essential-fish-habitat-efh-alaska.*

Comment 11: The pollock TAC should reflect the true environmental cost of trawling. Recent studies show trawl fisheries are damaging habitat and are frequently on the ocean floor. Trawling also contributes to large increases in carbon dioxide emissions from the seafloor.

Response: As addressed in response to Comment 10, impacts of the pollock fishery have been examined in various documents. This includes in the evaluations on habitat impacts from trawling contained in the Essential Fish Habitat 5-Year Reviews (see *https://www.fisheries.noaa.gov/alaska/habitat-conservation/essential-fish-habitat-efh-alaska*). In addition, the SAFE report chapter for EBS pollock evaluates annually the EBS pollock fishery's effects on the ecosystem, as well as ecosystem effects on the EBS pollock stock (see section titled ''Additional ecosystem considerations'' as well as section 15 at *https://www.npfmc.org/wp-content/PDFdocuments/SAFE/2024/EBSpollock.pdf*). The most recent full/operational assessment for AI pollock similarly includes an evaluation of the AI pollock fishery's effects on the ecosystem, as well as ecosystem effects on AI pollock and a broad overview of ecosystem considerations, at *https://www.npfmc.org/wp-content/PDFdocuments/SAFE/2024/AIpollock.pdf.* Ecosystem considerations, as well as the impact on communities and incidentally caught species, are considered and updated annually in the ESRs and ESPs. The Final EIS supporting the harvest specifications also evaluated environmental and ecosystem considerations, and the environmental impacts of the pollock fishery have been analyzed in a number of subsequent NEPA documents supporting FMP amendments, including the EIS for amendment 91 to the FMP and the Environmental Assessment for amendment 110 to the FMP.

The commenter cites an article by Sala *et al.* published in ''Nature'' on March 17, 2021. This paper attributed large releases of benthic carbon dioxide from global trawling activities on a level greater than all global air traffic. There was a rebuttal paper in ''Nature'' by Hiddink *et al.* on May 10, 2023. Hiddink *et al.* pointed out that Sala *et al.* ignored natural remineralization of carbon in marine sediments and attributed all the carbon there as being released by trawling while not accounting for natural release, potentially exaggerating the amount of trawl-released carbon dioxide by orders of magnitude. In marine sediments, perturbation by invertebrates is thought to mix high carbon sediments deeper into the substrate and actually increase the sequestration of carbon. As pointed out by Hiddink *et al.,* however, the results from actual studies of trawl disturbances have mixed and inconclusive results and point to increased release of carbon from trawling as well as increased carbon sequestration from trawling. The Sala *et al.* article was subsequently retracted from ''Nature.''

NMFS acknowledges that there are impacts from trawling upon the seafloor. All forms of fishing and food production result in some level of habitat impact. Over recent decades NMFS has reduced the area of trawled habitat as well as the intensity of the gear upon the seafloor. (For a summary of spatial management areas including areas in the BSAI closed to trawling see *https://www.npfmc.org/wp-content/PDFdocuments/Publications/Conservation_Area_Summaries.pdf*). While stocks did experience decline from trawling before the implementation of the Magnuson-Stevens Act, none are currently known to be in decline because of trawling, and there is no known loss of habitat from current practices. This is done in keeping with the Magnuson-Stevens Act's mandate to achieve OY on a continuing basis from each fishery with particular attention to food production.

The Council and NMFS are guided by the Magnuson-Stevens Act to use the best scientific information available in recommending and implementing these harvest specifications. NMFS considered the information relevant to the factors for developing these harvest specifications and has concluded that these groundfish harvest specifications are based on the best available scientific information consistent with National Standard 2. Any changes to management of the trawl fisheries to address habitat disturbance are outside the scope of this final rule, which implements catch limits for the groundfish fisheries in the BSAI.

Comment 12: Unfished or underfished pollock stock has a considerable impact on the ecosystem that must be considered because the pollock biomass in the Bering Sea is significant and has impacts relative to being both a prey and predator, particularly Age 3+ biomass.

Response: As explained in response to Comments 1 and 11, the SAFE report chapter for EBS pollock evaluates annually the EBS pollock fishery's effects on the ecosystem, as well as ecosystem effects on the EBS pollock stock. Fishery effects on the ecosystem are also summarized in Table 43 of the EBS pollock SAFE report chapter. The information on ecosystem effects included in the EBS pollock SAFE report chapter was considered in the specification of the pollock TAC, as is any relevant socio-economic and harvest information and information on pollock and ecosystem effects summarized in the ESRs. The FMP and implementing regulations also dictate that total TACs for the BSAI cannot exceed 2 million mts annually. Because of this, it is not possible to specify higher TACs and fully harvest extremely large stocks of pollock.

Comment 13: Higher EBS pollock TACs should not be expected to measurably increase or decrease salmon escapement to western Alaska. Salmon catches and runs have fluctuated greatly in recent years, while pollock catch has remained stable.

Response: As noted in response to Comment 2, climate change is an important driver of poor salmon returns in western Alaska. While salmon bycatch in the pollock fishery is a source of mortality and may be a contributing factor in the decline of salmon, NMFS expects the numbers of the ocean bycatch that would have returned to western Alaska would be relatively small due to ocean mortality and the large number of other river systems, and hatchery production, contributing to the total Chinook or chum salmon bycatch.

For Chinook salmon, total bycatch in the Bering Sea pollock fishery is reported annually, and includes bycatch of salmon from stocks across Alaska, the Pacific Northwest, and hatchery production from other countries like Russia. NMFS, Council, and State scientists regularly prepare adult equivalence (AEQ) analyses of Chinook salmon that estimate the number of Chinook salmon that would have returned to river systems had they not been caught as bycatch in the Bering Sea pollock fishery. For 2023, the estimate of bycaught Chinook salmon that would have returned to Coastal Western Alaska and Upper/Middle Yukon river systems is 4,074 fish, with an average of 6,749 fish from 2011 through 2023. Considering run sizes for salmon returns to western Alaska, scientists also calculate the ''impact rate.'' Using this impact rate, the bycatch expected to have returned to western Alaska rivers is less than 2 percent per year since 2011, as reported in the 2024 EBS pollock SAFE report, which notes that ''[u]pdated estimates given new genetic information and the [current] levels of PSC as provided to the Council continue to suggest that the impact is low.''

For chum salmon, total bycatch in the Bering Sea pollock fishery is reported annually and includes bycatch of salmon from stocks across Alaska, the Pacific Northwest, and Asia. NMFS, Council, and State scientists analyze genetic stock compositions of chum salmon samples collected from the PSC in the Bering Sea pollock fishery. Scientists are able to estimate the number of chum salmon bycaught in the Bering Sea pollock fishery that originate from Coastal Western Alaska and Upper/Middle Yukon river systems; however, NMFS does not have an AEQ analysis for chum salmon equivalent to the analysis for Chinook salmon. The most recent 2023 genetic data indicates that 8.3 percent of chum bycatch in the B season is of Coastal Western Alaska origin, reduced from the long-term average of 15.4 percent. For 2023, 2.3 percent of chum bycatch in the B season is of Upper/Middle Yukon River origin

Information on the bycatch of salmon in the BSAI groundfish fisheries, including the pollock fisheries, can be found at *https://www.npfmc.org/fisheries-issues/bycatch/salmon-bycatch/* and *https://www.fisheries.noaa.gov/alaska/bycatch/chinook-salmon-bycatch-management-alaska.* The 2023 genetics reports are available at *https://meetings.npfmc.org/CommentReview/DownloadFile?p=ea59d5e2-4de4-4d4e-9369-4ffe0991cf43.pdf&fileName=C2%20Chinook%20Genetics%20Report.pdf* and *https://meetings.npfmc.org/CommentReview/DownloadFile?p=93adc8a8-9284-4731-b492-74d535241a78.pdf&fileName=C2%20Chum%20Salmon%20Genetics%20Report.pdf.*

NMFS's management of bycatch in the BS and AI pollock fisheries is also explained in the response to Comment 2.

Comment 14: Hatchery salmon production is impacting the North Pacific ecosystems and fisheries. Large-scale pink salmon hatchery production is releasing additional pink salmon into the North Pacific and causing impacts throughout the food web. Increases in chum salmon bycatch in recent years are correlated with increased hatchery production of chum salmon across the North Pacific as well as increasing bottom temperatures.

Response: NMFS acknowledges this comment and the studies cited by the commenters. The increase in hatchery fish is a potential concern for the North Pacific ecosystem and is a topic warranting further research. Although unrelated to hatchery production, the 2024 AI ESR does include an evaluation of the implication from the increasing abundance and expanding role of eastern Kamchatka pink salmon in the AI ecosystem, noting that pink salmon grow exceptionally fast, consume a large amount of various prey, and potentially affect growth and survival of other species in the North Pacific Ocean and Bering Sea.

Comment 15: To be in compliance with section 7 and section 9 of the ESA, NMFS must analyze impacts of the groundfish trawl fisheries under the ESA through section 7 consultations and must reinitiate consultation on the groundfish trawl fisheries to consider new species listings and critical habitat designations; new information on climate change, vessel strikes and disturbance, entanglement, habitat impacts including pelagic trawl bottom contact, prey competition, bycatch of salmon and hatchery production of pink salmon, and plastics in the marine environment; and changes in fisheries' operations.

Response: NMFS approves and implements the harvest specifications if they are consistent with the Magnuson-Stevens Act and other applicable law, including the ESA. NMFS has determined that these final 2025 and 2026 harvest specifications for the BSAI are consistent with the ESA. NMFS has evaluated the impacts of the BSAI groundfish fishery on ESA-listed species and designated critical habitat in a number of consultations. These consultations are on the groundfish fishery managed under the BSAI FMP and are not specific to certain gear types (*e.g.,* trawl or fixed gear). The biological opinions are publicly available at *https://www.fisheries.noaa.gov/alaska/consultations/section-7-biological-opinions-issued-alaska-region#fisheries.*

NMFS agrees that reinitiation of ESA section 7 consultation is required for the groundfish fisheries. In November 2022, NMFS indicated that reinitiation of consultation was warranted on both the BSAI groundfish fishery and the GOA groundfish fishery in light of information indicating that reinitiation under 50 CFR 402.16 was required, including revised species designations (*i.e.,* for listed humpback whales) and new critical habitat designations. In light of the extensive scope of the actions under consultation, NMFS agreed to extend the timeframes to complete the consultations, in accordance with 50 CFR 402.14(e). NMFS has since completed the consultation on the GOA groundfish fishery. NMFS concluded that the GOA groundfish fishery was not likely to jeopardize the continued existence of any threatened or endangered species under the jurisdiction of NMFS. It was also NMFS's conference opinion that the GOA groundfish fishery is not likely to jeopardize the continued existence of the proposed threatened sunflower sea star. The biological and conference opinion for the GOA groundfish fishery is available at: *https://www.fisheries.noaa.gov/resource/document/biological-opinion-national-marine-fisheries-service-alaska-region-sustainable.*

In November 2022, NMFS determined that the operation of the groundfish fisheries off Alaska (BSAI and GOA) during the anticipated reinitiation period would not violate ESA sections 7(a)(2) and 7(d). Before implementing last year's final harvest specifications, NMFS determined the operation of the groundfish fisheries off Alaska (both BSAI and GOA) under those harvest specifications would not violate ESA sections 7(a)(2) and 7(d). In implementing these harvest specifications, NMFS again confirmed that the operation of the BSAI groundfish fishery under the 2025 and 2026 harvest specifications during the reinitiation period in 2025 would not violate ESA sections 7(a)(2) and 7(d). NMFS recognizes the agency's obligation to ensure that agency action(s) over a longer term are not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of designated critical habitat as a jeopardy or adverse modification/destruction determination commensurate with the temporal scope of the action is appropriately made only in a biological opinion.

Section 7(d) of the ESA prohibits Federal agencies from making any irreversible or irretrievable commitment of resources with respect to the agency action(s) that would have the effect of foreclosing the formulation or implementation of any reasonable and prudent alternatives at the conclusion of the ESA section 7 consultation. This prohibition is in force until the requirements of section 7(a)(2) have been satisfied. Resource commitments may occur as long as the action agency retains sufficient discretion and flexibility to modify its action(s) to allow formulation and implementation of appropriate reasonable and prudent alternatives. NMFS has discretion to amend its Magnuson-Stevens Act and ESA regulations and may do so at any time subject to the Administrative Procedure Act and other applicable laws. At the conclusion of ESA section 7 consultation on the BSAI groundfish fishery, NMFS will retain sufficient discretion and flexibility to evaluate and make necessary changes to fishery

regulations and management plans for the formulation and implementation of appropriate reasonable and prudent alternatives, if required to do so under the ESA.

During the consultation on the BSAI groundfish fishery, existing regulatory measures that offer protection to listed species, including Steller sea lion protection measures and humpback whale approach regulations, will continue to be in effect, and NMFS will continue to implement the reasonable and prudent measures and terms and conditions necessary or appropriate to minimize the amount or extent of incidental take. NMFS has and will continue to monitor take in the groundfish fisheries consistent with the terms and conditions of the existing biological opinions covering the BSAI groundfish fishery and the 2024 biological opinion for the GOA groundfish fishery. NMFS also has authority under 50 CFR part 679 to implement annual SSL protection measures, such as the harvest limitations implemented through the annual groundfish harvest specifications, and to close directed fishing for pollock, Pacific cod, and Atka mackerel if a biological assessment indicates the stock condition for that species is at or below 20 percent of its unfished spawning biomass during a fishing year (§ 679.20(d)(4)).

In consulting on the BSAI groundfish fishery and a preparing new biological opinion and incidental take statement, NMFS will incorporate the most recent, best scientific and commercial data available, including information relating to the operation of the fisheries and climate data, to assess effects from the BSAI groundfish fishery, such as vessel strikes and disturbance, entanglement, bycatch, prey competition, and habitat impacts, on ESA-listed species and designated critical habitat.

Comment 16: NMFS must ensure compliance with the Marine Mammal Protection Act (MMPA) for the BSAI groundfish trawl fisheries that incidentally take ESA-listed species and must consider those species and stocks with human-caused mortality and serious injury (M/SI) at levels at or approaching potential biological removal (PBR) or for those whose PBR is unknown. The fisheries are currently operating under MMPA permits that violate the MMPA.

Response: NMFS approves and implements the harvest specifications if they are consistent with the Magnuson-Stevens Act and other applicable law, including the MMPA. NMFS has determined that these final 2025 and 2026 harvest specifications are consistent with the MMPA. The BSAI (and GOA) groundfish fisheries identified as a Category I or II fishery that interact with ESA-listed species have a valid MMPA section 101(a)(5)(E) permit (89 FR 50270, June 13, 2024) and for the BSAI include the AK Bering Sea, Aleutian Islands flatfish trawl fishery (Amendment 80) and the AK Bering Sea, Aleutian Islands pollock trawl fishery.

Pursuant to section 101(a)(5)(E) of the MMPA, NMFS shall allow taking of ESA-listed marine mammals incidental to commercial fishing operations if NMFS makes a number of determinations regarding negligible impact, recovery plans, and where required take reductions plans, monitoring programs, and vessel registration (16 U.S.C. 1371(a)(5)(E)). In June 2024, NMFS issued permits for the two BSAI groundfish fisheries that require MMPA permits for the incidental take of ESA-listed species (89 FR 50270, June 13, 2024). NMFS determined that the issuance of those permits complied with the MMPA and implementing regulations regarding the negligible impact determination, recovery plans, take reductions plans, monitoring programs, and vessel registration (89 FR 50270, June 13, 2024).

NMFS regularly updates marine mammal stock assessments and reports of human-caused mortalities and serious injuries of marine mammals. The long-term goal under the MMPA is to reduce the level of M/SI of marine mammals to insignificance levels (16 U.S.C. 1387(b)), which is defined as 10 percent of the stocks' PBR (50 CFR 229.2). PBR is defined as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (50 CFR 229.2). Based on the best scientific information summarized in the 2023 Final Marine Mammal Stock Assessment Reports (SAR) (89 FR 104989, December 26, 2024), the level of M/SI of ESA-listed stocks that interact with the two Category II groundfish fisheries in the BSAI is currently below 10 percent of those stocks' PBR. PBR and incidental M/SI for each ESA-listed stock with M/SI in the AK Bering Sea, Aleutian Islands flatfish trawl fishery are as follows:

- Bearded seal, Beringia—PBR = 8,210, M/SI = 1.2, M/SI as percent of the stock's PBR = 0.01 percent;
- Humpback whale, Western North Pacific—PBR = 0.2, M/SI = 0, M/SI as percent of the stock's PBR = 0 percent (although this stock is currently included in the 2024 List of Fisheries (89 FR 12257, February 16, 2024), NMFS proposes in the 2025 List of Fisheries to remove the Western North Pacific stock of humpback whale from the list of species/stocks incidentally killed or injured in this fishery because there have been no recent reported or observed M/SI of this stock in the AK Bering Sea, Aleutian Islands flatfish trawl fishery (89 FR 77789, September 24, 2024));
- Ringed seal, Arctic—PBR = 4,755, M/SI = 4.6, M/SI as percent of the stock's PBR = 0.097 percent; and
- Steller sea lion, Western U.S—PBR = 299, M/SI = 13, M/SI as percent of the stock's PBR = 4.3 percent.

PBR and incidental M/SI for each ESA-listed stock with M/SI in the AK Bering Sea, Aleutian Islands pollock trawl fishery are as follows:

- Bearded seal, Beringia—PBR = 8,210, M/SI = 0.4, M/SI as percent of the stock's PBR = 0.005 percent;
- Humpback whale, Mexico-North Pacific—PBR is undetermined, M/SI = 0.03 percent;
- Humpback whale, Western North Pacific—PBR = 0.2, M/SI = 0.008, M/SI as percent of the stock's PBR = 4.0 percent;
- Ringed seal, Arctic—PBR = 4,755, M/SI = 0.2, M/SI as percent of the stock's PBR = 0.004 percent; and
- Steller sea lion, Western U.S—PBR = 299, M/SI = 6.8, M/SI as percent of the stock's PBR = 2.3 percent.

In addition, NMFS has proposed to add the North Pacific stock of fin whale to the list of species/stocks incidentally killed or injured in the Category II AK Bering Sea, Aleutian Islands pollock trawl fishery based on a reported mortality in 2019 (89 FR 77789, September 24, 2024). PBR and incidental M/SI for this ESA-listed stock in the AK Bering Sea, Aleutian Islands pollock trawl fishery is as follows:

- Fin whale, North Pacific—PBR = 5.1, mean estimated annual M/SI (2017–2021) = 0.2, M/SI as percent of the stock's PBR = 3.9 percent.

Both the AK Bering Sea, Aleutian Islands flatfish trawl fishery and the AK Bering Sea, Aleutian Islands pollock trawl fishery have a valid MMPA section 101(a)(5)(E) permit for the incidental, but not intentional, take of ESA-listed species during commercial fishing operations. Details on the permits and the analyses that informed them are in the **Federal Register** notice announcing NMFS's issuance of the permits, and can be found at 89 FR 50270, June 13, 2024. This **Federal Register** notice is separate from the harvest specifications process and this final rule.

Based on the best scientific information available summarized in the 2023 Final SARs (89 FR 104989, December 26, 2024), the level of M/SI of other strategic stocks that interact with any Category II groundfish fisheries in the BSAI is below 10 percent of the stocks' PBR. PBR and incidental M/SI for the strategic stock (unlisted) with M/SI in the AK Bering Sea, Aleutian Islands flatfish trawl fishery are as follows:

- Northern fur seal, Eastern Pacific—PBR =11,403, M/SI = 2.7, M/SI as percent of the stock's PBR = 0.02 percent.

The AK Bering Sea, Aleutian Islands flatfish trawl fishery has more than 99 percent observer coverage and there have been no reported or observed M/SI of the Western North Pacific stock of humpback whale in the AK Bering Sea, Aleutian Islands flatfish trawl fishery in the most recent SAR. The AK Bering Sea, Aleutian Islands pollock trawl fishery has 100 percent observer coverage and there were two [1] humpback whales incidentally taken (mean annual = 0.8) in the most recent SAR. This analysis uses the most recent SAR estimates. This M/SI rate is prorated according to their probability of occurrence between the Hawaii stock/DPS (unlisted under the ESA) (91 percent), Mexico-North Pacific stock/Mexico DPS (7 percent), and the Western North Pacific stock/DPS (2 percent). Thus, the mean estimated annual mortality of the Western North Pacific stock of humpback whale from the most recent SAR in the AK Bering Sea, Aleutian Islands pollock trawl fishery is 0.008.

Comment 17: The Eastern North Pacific Alaska resident stock of killer whales consists of two distinct stocks.

Response: This is outside of the scope of this final rule to implement the groundfish harvest specifications for the BSAI. NMFS notes that it currently intends to initiate in 2025 a review of available information about whether there are multiple demographically independent populations of killer whales within the currently-defined Eastern North Pacific Alaska resident killer whale stock. The Eastern North Pacific Alaska resident killer whale stock, as currently defined, includes resident killer whales in Southeast Alaska, the Gulf of Alaska, the Aleutian Islands, and the Bering Sea. This evaluation would involve experts from NMFS's Alaska, Northwest, and Southwest Fisheries Science Centers. Should the agency find that there are demographically independent populations of killer whales and subsequently decide to describe new stocks of killer whales in Alaska, that would be accomplished through the development of new draft stock assessment reports. These would be made available for public review and comment separate from the harvest specifications process.

Comment 18: NMFS must ensure there are mitigation measures in place for killer whales and other non-ESA listed marine mammals that interact with the fisheries.

Response: This is outside of the scope of this final rule to implement the groundfish harvest specifications for the BSAI. As noted in response to Comment 16, NMFS has determined that these final 2025 and 2026 harvest specifications for the BSAI are consistent with the requirements of the MMPA. NMFS is concerned about the higher than normal number of killer whale incidental catches in the BSAI trawl fisheries in 2023. Industry mitigation efforts seem to have been successful in reducing the incidental catches in 2024. NMFS continues to investigate and prepare updated analyses on killer whales stocks, including through NMFS's marine mammal stock assessment reports and reports of human-caused mortalities and serious injuries of marine mammals. NMFS also released a technical memorandum, Killer Whale Entanglements in Alaska: Summary Report 1991–2022. More information is available at the following websites: *https://www.fisheries.noaa.gov/feature-story/cause-death-determined-11-killer-whales-incidentally-caught-fishing-gear-alaska-2023* and *https://www.fisheries.noaa.gov/resource/document/killer-whale-entanglements-alaska.*

Comment 19: Under the Magnuson-Stevens Act, NMFS can only approve a plan, a plan amendment, harvest specifications, or allow other fishing activity to occur or continue pursuant to permits if such actions do not violate other applicable laws, like NEPA, ESA, and MMPA. NMFS has not complied with other applicable laws like NEPA, ESA, and MMPA for the BSAI groundfish harvest specifications.

Response: As addressed in the Classification section (below) and the response to Comments, NMFS has determined that implementing the 2025 and 2026 groundfish harvest specifications for the BSAI is consistent with the Magnuson-Stevens Act, the FMP, and other applicable laws. As explained in responses to Comments 4–5, 15, and 16, NMFS has determined that this final rule is consistent with NEPA, ESA, and MMPA. In addition, this final rule specifies the OFL, ABC, and TAC for target species in the BSAI. Any FMP amendments, regulations, and permitting alluded to in the comment are outside the scope of this final rule implementing the harvest specifications for the BSAI.

Changes to the Final Rule

NMFS undertook a thorough review of the relevant comments received during the public comment period. However, for reasons described in the preceding section, no changes to the final rule were made in response to any of the comments received.

After incorporating new or updated fishery and survey data, considering Council recommendations and the 2024 SAFE reports, and accounting for State harvest levels, NMFS has made several updates from the proposed rule. Final TACs were adjusted based on the final ABCs. A detailed description of many of these changes can be found above (see ''Changes from the Proposed 2025 and 2026 Harvest Specifications for the BSAI''). The TAC changes are also summarized in table A. The changes to TACs between the proposed and final harvest specifications are based on the most recent scientific, biological, ecosystem, socioeconomic, and harvest information and are consistent with the FMP, regulatory obligations (including the required OY range of 1.4 million to 2.0 million mt), and the harvest strategy from the Final EIS and ROD.

Classification

NMFS is issuing this final rule pursuant to section 305(d) of the Magnuson-Stevens Act. The reason for using this regulatory authority is: Through previous actions, the FMP and regulations are designed to authorize NMFS to take this action pursuant to section 305(d) (see 50 CFR part 679). The NMFS Assistant Administrator has determined that the final harvest specifications are consistent with the FMP, the Magnuson-Stevens Act, and other applicable laws.

This action is authorized under 50 CFR 679.20 and is exempt from review under Executive Order 12866 because it only implements annual catch limits in the BSAI.

To provide for meaningful and timely consultation and engagement in the development of this final rule, NMFS invited Alaska Native Tribal Governments and Alaska Native corporations to participate in consultation and/or engagement with

[1] Note that there were 2 additional incidental mortalities of humpback whales in this fishery in 2021 and none in 2022 or 2022 (see Brower et al. 2024, *https://repository.library.noaa.gov/view/noaa/66173*). However, these have not yet been incorporated into the SAR.

NMFS prior to the Council's December 2024 meeting. NMFS held a Tribal engagement session that included NMFS staff providing briefings on the annual specifications process. NMFS staff also met informally with an inter-tribal agency to explain the annual specifications process. No formal consultations were requested or held on the BSAI harvest specifications.

A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2) of E.O. 13175 was not required for this final rule because this action does not impose substantial direct compliance costs on Alaska Native Tribal Governments and this action does not preempt Tribal law.

NMFS prepared an EIS for the Alaska groundfish harvest specifications and alternative harvest strategies (see **ADDRESSES**) and made it available to the public on January 12, 2007 (72 FR 1512). On February 13, 2007, NMFS issued the ROD for the Final EIS identifying the selected alternative (Alternative 2). The Final EIS analyzes the environmental, social, and economic consequences of alternative harvest strategies on resources in the action area. Based on the analysis in the Final EIS, NMFS concluded that the preferred alternative (Alternative 2) provides the best balance among relevant environmental, social, and economic considerations and allows for continued management of the groundfish fisheries based on the most recent, best scientific information. The preferred alternative is a harvest strategy in which TACs are set at a level within the range of ABCs recommended through the Council harvest specifications process by the Council's SSC. The sum of the TACs also must achieve the OY specified in the FMP and regulations. While the specific numbers that the harvest strategy produces may vary from year to year, the methodology used for the preferred harvest strategy remains constant.

The final 2025 and 2026 groundfish harvest specifications for the BSAI were developed through the preferred alternative harvest strategy analyzed in the Final EIS and selected in the ROD. Because NMFS implements this final rule pursuant to and consistent with the Final EIS and ROD, a new EIS is not necessary to implement the 2025 and 2026 groundfish harvest specifications.

NMFS prepared a SIR to address the need to prepare a SEIS (40 CFR 1502.9(d)(1)). Copies of the Final EIS, ROD, and annual SIRs for this action are available from NMFS (see **ADDRESSES**). The latest annual SIR evaluated whether NMFS should prepare an SEIS for the 2025 and 2026 groundfish harvest specifications. A SEIS should be prepared if a major federal action is incomplete or ongoing and: (1) the agency makes substantial changes to the proposed action that are relevant to environmental concerns; or (2) there are substantial new circumstances or information about the significance of adverse effects that bear on the analysis (§ 1502.9(d)(1)). After reviewing the most recent, best available information, including the information contained in the SIR and SAFE report, the Regional Administrator has determined that: (1) the 2025 and 2026 harvest specifications, which were set according to the preferred harvest strategy, do not constitute a substantial change in the action; and (2) the information presented does not indicate that there are substantial new circumstances or information about the significance of adverse effects that bear on the analysis in the Final EIS. Any new information and circumstances do not present a seriously different picture of the likely environmental harms of the action to occur—the implementation of these harvest specifications—beyond what was considered in the Final EIS, and the 2025 and 2026 harvest specifications will result in environmental, social, and economic impacts within the scope of those analyzed and disclosed in the Final EIS. Therefore, a SEIS is not necessary to implement the 2025 and 2026 harvest specifications.

A final regulatory flexibility analysis (FRFA) was prepared. Section 604 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 604) requires that, when an agency promulgates a final rule under 5 U.S.C. 553, after being required by that section or any other law to publish a general notice of proposed rulemaking, the agency shall prepare a FRFA. The following constitutes the FRFA prepared for these final 2025 and 2026 harvest specifications.

Section 604 of the RFA describes the required contents of a FRFA: (1) a statement of the need for, and objectives of, the rule; (2) a statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis, a statement of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments; (3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments; (4) a description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available; (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and (6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency that affect the impact on small entities was rejected. A description of this action, its purpose, and its legal basis are included at the beginning of the preamble to this final rule and are not repeated here.

NMFS published the proposed rule on December 4, 2024 (89 FR 96186). NMFS prepared an Initial Regulatory Flexibility Analysis (IRFA) to accompany the proposed action, and included the IRFA in the proposed rule. The comment period closed on January 3, 2025. No comments were received on the IRFA or on the economic impacts of the rule more generally. The Chief Counsel for Advocacy of the Small Business Administration did not file any comments on the proposed rule.

The entities directly regulated by this action are: (1) entities operating vessels with groundfish Federal fishing permits (FFPs) catching FMP groundfish in Federal waters; (2) all entities operating vessels, regardless of whether they hold groundfish FFPs, catching FMP groundfish in the State-waters parallel fisheries; and (3) all entities operating vessels fishing for halibut that have incidental catch of FMP groundfish (whether or not they have FFPs). These include entities operating CVs and CPs within the action area and entities receiving direct allocations of groundfish.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of $11 million for all its affiliated operations worldwide.

Using the most recent data available (2023), the estimated number of directly regulated small entities includes approximately 116 CVs, 3 CPs, 6 CDQ groups, and three motherships. Some of these vessels are members of AFA inshore pollock cooperatives, Gulf of Alaska rockfish cooperatives, or BSAI Crab Rationalization Program cooperatives, and, since under the RFA, the aggregate gross receipts of all participating members of the cooperative must meet the ''under $11 million'' threshold, the cooperatives are considered to be large entities within the meaning of the RFA. Thus, the estimate of 116 CVs may be an overstatement of the number of small entities. Average gross revenues for hook-and-line CVs, pot gear CVs, and trawl gear CVs are estimated to be $910,000, $1.5 million, and $2.3 million, respectively. Average gross revenues for CP entities are confidential. There are three AFA cooperative affiliated motherships, which appear to fall under the 750-worker threshold and are therefore small entities. The average gross revenues for the AFA motherships are confidential.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

This action implements the final 2025 and 2026 harvest specifications, apportionments, and PSC limits for the groundfish fishery of the BSAI. This action is necessary to establish harvest limits for groundfish during the 2025 and 2026 fishing years and is taken in accordance with the FMP prepared and recommended by the Council pursuant to the Magnuson-Stevens Act. The establishment of the final harvest specifications is governed by the Council and NMFS's harvest strategy for the catch of groundfish in the BSAI. The harvest strategy was previously selected from among five alternatives. Under this preferred alternative harvest strategy, TACs are set within the range of ABCs recommended through the Council harvest specifications process by the SSC, and while the specific TAC numbers that the harvest strategy produces may vary from year to year, the methodology used for the preferred harvest strategy remains constant. The sum of the TACs must be within the OY range specified in the FMP and regulations. This final action implements the preferred alternative harvest strategy previously chosen by the Council and NMFS to set TACs that fall within the range of ABCs recommended through the Council harvest specifications process and as recommended by the Council. This is the method for determining TACs that has been used in the past.

The final 2025 and 2026 TACs associated with the preferred harvest strategy are those recommended by the Council in December 2024. OFLs and ABCs for each species and species group were based on recommendations prepared by the Plan Team, and reviewed by the SSC. The Council's TAC recommendations are consistent with the SSC's OFL and ABC recommendations, and the sum of all TACs remains within the OY range for the BSAI consistent with § 679.20(a)(1)(i)(A). Because setting all TACs equal to ABCs would cause the sum of TACs to exceed the maximum OY of 2 million mt, TACs for some species and species groups are lower than the ABCs recommended by the Plan Team and the SSC.

The final 2025 and 2026 OFLs and ABCs are based on the best available biological information, including projected biomass trends, information on assumed distribution of stock biomass, and revised technical methods to calculate stock biomass. The final 2025 and 2026 TACs are based on the best available biological and socioeconomic information. The final 2025 and 2026 OFLs, ABCs, and TACs are consistent with the biological condition of groundfish stocks as described in the 2024 SAFE report, which is the most recent, completed SAFE report, as well as the ecosystem and socioeconomic information presented in the 2024 SAFE report (including the BS ESR and AI ESR). Accounting for the most recent information to set the final OFLs, ABCs, and TACs is consistent with the objectives for this action, as well as National Standard 2 of the Magnuson-Stevens Act (16 U.S.C. 1851(a)(2)) that actions shall be based on the best scientific information available.

Under this action, the ABCs reflect harvest amounts that are less than the specified OFLs. The TACs are within the range of ABCs recommended by the SSC and do not exceed the biological limits recommended by the SSC (the ABCs and OFLs). Specifying TACs that do not exceed ABCs and ABCs that do not exceed OFLs is consistent with the objectives for this action, the FMP, and National Standard 1 of the Magnuson-Stevens Act (16 U.S.C. 1851(a)(1)) and implementing regulations (50 CFR 600.310). For some species and species groups in the BSAI, the Council recommended, and NMFS sets, TACs equal to ABCs, which is intended to maximize harvest opportunities in the BSAI. Although under the FMP and regulations, NMFS could specify TACs equal to ABCs, NMFS cannot set TACs for all species in the BSAI equal to their ABCs due to the constraining OY limit in the BSAI of 2 million mt. For this reason, some final TACs are less than the final ABCs. These specific reductions were reviewed and recommended by the Council's AP, and then reviewed and adopted by the Council as the Council's recommended final 2025 and 2026 TACs.

Based on the best available scientific data, and in consideration of the Council and NMFS's objectives for this action, there are no significant alternatives that have the potential to accomplish the stated objectives of the Magnuson-Stevens Act and any other applicable statutes and that have the potential to minimize any significant adverse economic impact of the final rule on small entities. This action is economically beneficial to entities operating in the BSAI, including small entities. The action specifies TACs for commercially-valuable species in the BSAI and allows for the continued prosecution of the fishery, thereby creating the opportunity for fishery revenue. After public process, during which the Council and NMFS solicited input from stakeholders, the Council concluded and NMFS determines that these final harvest specifications would best accomplish the stated objectives articulated in the preamble for this final rule and in applicable statutes, and would minimize to the extent practicable adverse economic impacts on the universe of directly regulated small entities.

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive the 30-day delay in the date of effectiveness for this rule because delaying this rule is contrary to the public interest. The Plan Team review of the 2024 SAFE report occurred in November 2024, and based on the 2024 SAFE report the Council considered and recommended the final harvest specifications in December 2024. Accordingly, NMFS's review of the final 2025 and 2026 harvest specifications could not begin until after the December 2024 Council meeting, and after the public had time to comment on the proposed action.

For all fisheries not currently closed because the TACs established under the final 2024 and 2025 harvest specifications (89 FR 17287, March 11, 2024) were not reached, it is possible that they would be closed prior to the expiration of a 30-day delayed effectiveness period because their TACs could be reached within that period. If implemented immediately, this rule would allow these fisheries to continue

fishing because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing. Because this rule would allow fisheries subject to lower TACs under the final 2024 and 2025 harvest specifications (89 FR 17287, March 11, 2024) to harvest up to the higher TACs published in these final 2025 and 2026 harvest specifications, it relieves a potential restriction for those fisheries and as a result is also not subject to the 30-day delayed effectiveness provision of the APA pursuant to 5 U.S.C. 553(d)(1). For those fisheries not currently closed because the TACs established under the final 2024 and 2025 harvest specifications have not yet been reached, it is possible that their TACs could be reached within that 30-day period and NMFS would have to close those fisheries prior to the expiration of a 30-day delayed effectiveness period. If those fisheries closed, they would experience a restriction in fishing. If this rule is implemented immediately, this rule would relieve the potential for those fisheries to be restricted and would allow these fisheries to continue fishing because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing.

In addition, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best available scientific information. This is particularly pertinent for those species that have lower ABCs and TACs than those established in the 2024 and 2025 harvest specifications (89 FR 17287, March 11, 2024). If implemented immediately, this rule would ensure that NMFS can properly manage those fisheries for which this rule sets lower ABCs and TACs, which are based on the most recent biological information on the condition of stocks, rather than managing species under the higher TACs set in the previous year's harvest specifications. The action is also necessary to ensure that the updated final ABCs for 2025 and 2026 are timely implemented for the management of the fisheries under the annual catch limits required by the Magnuson-Stevens Act as the FMP sets the statutorily-required annual catch limits equal to the ABC amounts specified in the annual harvest specifications.

Certain fisheries, such as those for pollock, are intensive, fast-paced fisheries. Other fisheries, such as those for sablefish, flatfish, rockfish, Atka mackerel, skates, sharks, and octopuses, are critical as directed fisheries and as incidental catch in other fisheries. U.S. fishing vessels have demonstrated the capacity to catch the TAC allocations in many of these fisheries. If the date of effectiveness of this rule were to be delayed 30 days and if a TAC were to be reached during those 30 days, NMFS would be required to close directed fishing or prohibit retention for the applicable species. Any delay in allocating the final TACs in these fisheries would cause confusion to the industry and potential economic harm through unnecessary discards, thus undermining the intent of this rule. Waiving the 30-day delay allows NMFS to prevent economic loss to fishermen that could otherwise occur should the 2025 TACs (set under the 2024 and 2025 harvest specifications) be reached. Determining which fisheries may close is nearly impossible because these fisheries are affected by several factors that cannot be predicted in advance, including fishing effort, weather, movement of fishery stocks, and market price. Furthermore, the closure of one fishery has a cascading effect on other fisheries by freeing-up fishing vessels, allowing them to move from closed fisheries to open ones, increasing the fishing capacity in those open fisheries, and causing them to close at an accelerated pace.

In fisheries subject to declining sideboard limits, a failure to implement the updated sideboard limits before initial season's end could deny the intended economic protection to the non-sideboard limited sectors. Conversely, in fisheries with increasing sideboard limits, economic benefit could be denied to the sideboard-limited sectors.

If these final harvest specifications are not effective by March 20, 2025, which is the start of the 2025 Pacific halibut season as specified by the IPHC, the fixed gear sablefish fishery will not begin concurrently with the Pacific halibut IFQ season. Delayed effectiveness of this action would result in confusion for sablefish harvesters and economic harm from the unnecessary discard of sablefish that are caught along with Pacific halibut, as both fixed gear sablefish and Pacific halibut are managed under the same IFQ program. Immediate effectiveness of these final 2025 and 2026 harvest specifications will allow the sablefish IFQ fishery to begin concurrently with the Pacific halibut IFQ season.

Finally, immediate effectiveness also would provide the fishing industry the earliest possible opportunity to plan and conduct its fishing operations with respect to new information about TAC limits. Therefore, NMFS finds good cause to waive the 30-day delay in the date of effectiveness for this rule under 5 U.S.C. 553(d)(3).

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as ''small entity compliance guides.'' The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules.

The tables contained in this final rule are provided online and serve as the plain language guide to assist small entities in complying with this final rule as required by the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule's primary purpose is to announce the final 2025 and 2026 harvest specifications and prohibited species bycatch allowances for the groundfish fisheries of the BSAI. This action is necessary to establish harvest limits and associated management measures for groundfish during the 2025 and 2026 fishing years and to accomplish the goals and objectives of the FMP. It is taken in accordance with the FMP, the Magnuson-Stevens Act, and regulations at 50 CFR parts 600 and 679. This action directly affects all fishermen who participate in the BSAI fisheries. The specific amounts of OFL, ABC, TAC, and PSC amounts are provided in tables in this final rule to assist the reader. Affected fishery participants are advised to review the tables contained in this final rule as well as this final rule, which also contains plain language summaries of the underlying relevant regulations supporting the harvest specifications and the harvest of groundfish in the BSAI that the reader may find helpful.

Information to assist small entities in complying with this final rule is provided online. The OFL, ABC, TAC, and PSC tables are individually available online at *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/alaska-groundfish-harvest-specifications.* Explanatory information on the relevant regulations supporting the harvest specifications is found in footnotes to the tables. Harvest specification changes are also available from the same online source, which includes applicable **Federal Register** notices, information bulletins, and other supporting materials. NMFS will announce closures of directed fishing in the **Federal Register** and information

bulletins released by the Alaska Region. Affected fishery participants should keep themselves informed of such closures. Copies of the tables and/or this final rule are also available upon request.

Authority: 16 U.S.C. 773 *et seq.;* 16 U.S.C. 1540(f); 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 3631 *et seq.;* Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

Dated: March 13, 2025.

Samuel D. Rauch III,

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

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