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Presidential Documents

Title 3—

The President

Proclamation 10903 of March 14, 2025

Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua

By the President of the United States of America

A Proclamation

Tren de Aragua (TdA) is a designated Foreign Terrorist Organization with thousands of members, many of whom have unlawfully infiltrated the United States and are conducting irregular warfare and undertaking hostile actions against the United States. TdA operates in conjunction with Cártel de los Soles, the Nicolas Maduro regime-sponsored, narco-terrorism enterprise based in Venezuela, and commits brutal crimes, including murders, kidnappings, extortions, and human, drug, and weapons trafficking. TdA has engaged in and continues to engage in mass illegal migration to the United States to further its objectives of harming United States citizens, undermining public safety, and supporting the Maduro regime's goal of destabilizing democratic nations in the Americas, including the United States.

TdA is closely aligned with, and indeed has infiltrated, the Maduro regime, including its military and law enforcement apparatus. TdA grew significantly while Tareck El Aissami served as governor of Aragua between 2012 and 2017. In 2017, El Aissami was appointed as Vice President of Venezuela. Soon thereafter, the United States Department of the Treasury designated El Aissami as a Specially Designated Narcotics Trafficker under the Foreign Narcotics Kingpin Designation Act, 21 U.S.C. 1901 *et seq.* El Aissami is currently a United States fugitive facing charges arising from his violations of United States sanctions triggered by his Department of the Treasury designation.

Like El Aissami, Nicolas Maduro, who claims to act as Venezuela's President and asserts control over the security forces and other authorities in Venezuela, also maintains close ties to regime-sponsored narco-terrorists. Maduro leads the regime-sponsored enterprise Cártel de los Soles, which coordinates with and relies on TdA and other organizations to carry out its objective of using illegal narcotics as a weapon to ''flood'' the United States. In 2020, Maduro and other regime members were charged with narcoterrorism and other crimes in connection with this plot against America.

Over the years, Venezuelan national and local authorities have ceded ever-greater control over their territories to transnational criminal organizations, including TdA. The result is a hybrid criminal state that is perpetrating an invasion of and predatory incursion into the United States, and which poses a substantial danger to the United States. Indeed, in December 2024, INTERPOL Washington confirmed: ''Tren de Aragua has emerged as a significant threat to the United States as it infiltrates migration flows from Venezuela.'' Evidence irrefutably demonstrates that TdA has invaded the United States and continues to invade, attempt to invade, and threaten to invade the country; perpetrated irregular warfare within the country; and used drug trafficking as a weapon against our citizens.

Based upon a review of TdA's activities, and in consultation with the Attorney General and the Secretary of the Treasury, on February 20, 2025, acting pursuant to the authority in 8 U.S.C. 1189, the Secretary of State designated TdA as a Foreign Terrorist Organization.

As President of the United States and Commander in Chief, it is my solemn duty to protect the American people from the devastating effects of this invasion. NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including the Alien Enemies Act, 50 U.S.C. 21 *et seq.,* hereby proclaim and direct as follows:

Section 1. I find and declare that TdA is perpetrating, attempting, and threatening an invasion or predatory incursion against the territory of the United States. TdA is undertaking hostile actions and conducting irregular warfare against the territory of the United States both directly and at the direction, clandestine or otherwise, of the Maduro regime in Venezuela. I make these findings using the full extent of my authority to conduct the Nation's foreign affairs under the Constitution. Based on these findings, and by the authority vested in me by the Constitution and the laws of the United States of America, including 50 U.S.C. 21, I proclaim that all Venezuelan citizens 14 years of age or older who are members of TdA, are within the United States, and are not actually naturalized or lawful permanent residents of the United States are liable to be apprehended, restrained, secured, and removed as Alien Enemies. I further find and declare that all such members of TdA are, by virtue of their membership in that organization, chargeable with actual hostility against the United States and are therefore ineligible for the benefits of 50 U.S.C. 22. I further find and declare that all such members of TdA are a danger to the public peace or safety of the United States.

Sec. 2. I direct the Attorney General, within 60 days of the date of this proclamation, to prepare and publish a letter under her signature declaring the policy described in section 1 of this proclamation as the policy of the United States and attaching this proclamation. I direct the Attorney General to transmit this letter to the Chief Justice of the United States, the chief judge of every circuit court of appeals, the chief judge of every district and territorial court of the United States, each Governor of a State and territory of the United States, and the highest-ranking judicial officer of each State and territory of the United States.

Sec. 3. I direct that all Alien Enemies described in section 1 of this proclamation are subject to immediate apprehension, detention, and removal, and further that they shall not be permitted residence in the United States.

Sec. 4. Pursuant to the Alien Enemies Act, the Attorney General and the Secretary of Homeland Security shall, consistent with applicable law, apprehend, restrain, secure, and remove every Alien Enemy described in section 1 of this proclamation. The Secretary of Homeland Security retains discretion to apprehend and remove any Alien Enemy under any separate authority.

Sec. 5. All executive departments and agencies (agencies) shall collaborate with law enforcement officials of the United States and with appropriate State, local, and tribal officials, to use all lawful means to apprehend, restrain, secure, and remove Alien Enemies described in section 1 of this proclamation.

Sec. 6. Pursuant to my authority under 50 U.S.C. 21 to direct the conduct to be observed on the part of the United States toward the Alien Enemies subject to this proclamation, to direct the manner and degree of the restraint to which such Alien Enemies shall be subject and in what cases, to provide for the removal of such Alien Enemies, and to establish any other regulations which are found necessary ''in the premises and for the public safety,'' I hereby direct the Attorney General and the Secretary of Homeland Security to execute all the regulations hereinafter contained regarding the Alien Enemies described in section 1 of this proclamation. The Attorney General and the Secretary of Homeland Security are further directed to cause the apprehension, detention, and removal of all members of TdA who otherwise qualify as Alien Enemies under section 1 of this proclamation. The Attorney General and the Secretary of Homeland Security are authorized to take

all necessary actions under the Alien Enemies Act to effectuate this proclamation, consistent with applicable law. In doing so, and for such purpose, they are authorized to utilize agents, agencies, and officers of the United States Government and of the several States, territories, dependencies, and municipalities thereof and of the District of Columbia. All such agents, agencies, and officers are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of Homeland Security, as the case may be.

Pursuant to the authority vested in me by the Constitution and the laws of the United States of America, including the Alien Enemies Act, 50 U.S.C. 21 *et seq.,* I hereby declare and establish the following regulations which I find necessary ''in the premises and for the public safety'':

(a) No Alien Enemy described in section 1 of this proclamation shall enter, attempt to enter, or be found within any territory subject to the jurisdiction of the United States. Any such Alien Enemy who enters, attempts to enter, or is found within such territory shall be immediately apprehended and detained until removed from the United States. All such Alien Enemies, wherever found within any territory subject to the jurisdiction of the United States, are subject to summary apprehension.

(b) Alien Enemies apprehended pursuant to this proclamation shall be subject to detention until removed from the United States in such place of detention as may be directed by the officers responsible for the execution of these regulations.

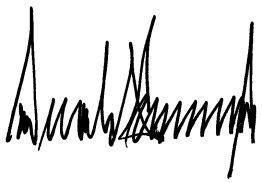
(c) Alien Enemies shall be subject to removal to any such location as may be directed by the officers responsible for the execution of these regulations consistent with applicable law.

(d) All property in the possession of, or traceable to, an Alien Enemy, which is used, intended to be used, or is commonly used to perpetrate the hostile activity and irregular warfare of TdA, along with evidence of such hostile activity and irregular warfare, shall be subject to seizure and forfeiture.

The Attorney General is further granted authority, pursuant to the Alien Enemies Act and 3 U.S.C. 301, in consultation with the Secretary of Homeland Security, to issue any guidance necessary to effectuate the prompt apprehension, detention, and removal of all Alien Enemies described in section 1 of this proclamation. Any such guidance shall be effective immediately upon issuance by the Attorney General.

This proclamation and the directives and regulations prescribed herein shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and forty-ninth.



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Presidential Documents

Executive Order 14236 of March 14, 2025

Additional Rescissions of Harmful Executive Orders and Actions

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* In Executive Order 14148 of January 20, 2025 (Initial Rescissions of Harmful Executive Orders and Actions), I rescinded 78 Presidential orders and memoranda issued by then-President Biden. I also directed the Assistant to the President for Domestic Policy, the Assistant to the President for Economic Policy, and the Assistant to the President for National Security Affairs to compile lists of additional orders, memoranda, and proclamations issued by the prior administration that should be rescinded. I have determined that the following additional rescissions are necessary to advance the policy of the United States to restore common sense to the Federal Government and unleash the potential of American citizens.

Sec. 2. *Revocation of Orders and Actions.* The following executive actions are hereby revoked:

(a) Executive Order 13994 of January 21, 2021 (Ensuring a Data-Driven Response to COVID–19 and Future High-Consequence Public Health Threats).

(b) National Security Memorandum 3 of February 4, 2021 (Revitalizing America's Foreign Policy and National Security Workforce, Institutions, and Partnerships).

(c) Presidential Memorandum of February 4, 2021 (Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World).

(d) Executive Order 14026 of April 27, 2021 (Increasing the Minimum Wage for Federal Contractors).

(e) Presidential Memorandum of March 31, 2022 (Finding of a Severe Energy Supply Interruption).

(f) Presidential Determination 2022–13 of May 18, 2022 (Delegating Authority Under the Defense Production Act to Ensure an Adequate Supply of Infant Formula).

(g) Presidential Determination 2022–15 of June 6, 2022 (Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as amended, on Solar Photovoltaic Modules and Module Components).

(h) Presidential Determination 2022–16 of June 6, 2022 (Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as amended, on Insulation).

(i) Presidential Determination 2022–17 of June 6, 2022 (Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as amended, on Electrolyzers, Fuel Cells, and Platinum Group Metals).

(j) Presidential Determination 2022–18 of June 6, 2022 (Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as amended, on Electric Heat Pumps).

(k) Executive Order 14081 of September 12, 2022 (Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe, and Secure American Bioeconomy).

(l) Presidential Memorandum of January 17, 2023 (Delegation of Authority Under Section 6501(b)(2) of the National Defense Authorization Act for Fiscal Year 2022).

(m) National Security Memorandum 18 of February 23, 2023 (United States Conventional Arms Transfer Policy).

(n) Presidential Memorandum of February 27, 2023 (Presidential Waiver of Statutory Requirements Pursuant to Section 303 of the Defense Production Act of 1950, as amended, on Department of Defense Supply Chains Resilience).

(o) Presidential Memorandum of November 16, 2023 (Advancing Worker Empowerment, Rights, and High Labor Standards Globally).

(p) Executive Order 14112 of December 6, 2023 (Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination).

(q) Executive Order 14119 of March 6, 2024 (Scaling and Expanding the Use of Registered Apprenticeships in Industries and the Federal Government and Promoting Labor-Management Forums).

(r) Executive Order 14126 of September 6, 2024 (Investing in America and Investing in American Workers).

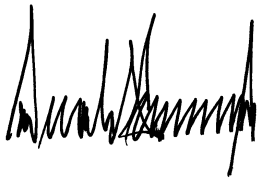
Sec. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
March 14, 2025.

[FR Doc. 2025–04866
Filed 3–19–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14237 of March 14, 2025

Addressing Risks From Paul Weiss

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Background.* Global law firms have for years played an outsized role in undermining the judicial process and in the destruction of bedrock American principles. Many have engaged in activities that make our communities less safe, increase burdens on local businesses, limit constitutional freedoms, and degrade the quality of American elections. Additionally, they have sometimes done so on behalf of clients, pro bono, or ostensibly ''for the public good''—potentially depriving those who cannot otherwise afford the benefit of top legal talent the access to justice deserved by all. My Administration will no longer support taxpayer funds sponsoring such harm.

My Administration has already taken action to address some of the significant risks and egregious conduct associated with law firms, and I have determined that similar action is necessary to end Government sponsorship of harmful activity by an additional law firm: Paul, Weiss, Rifkind, Wharton & Garrison LLP (Paul Weiss). In 2021, a Paul Weiss partner and former leading prosecutor in the office of Special Counsel Robert Mueller brought a pro bono suit against individuals alleged to have participated in the events that occurred at or near the United States Capitol on January 6, 2021, on behalf of the District of Columbia Attorney General.

In 2022, Paul Weiss hired unethical attorney Mark Pomerantz, who had previously left Paul Weiss to join the Manhattan District Attorney's office solely to manufacture a prosecution against me and who, according to his co-workers, unethically led witnesses in ways designed to implicate me. After being unable to convince even Manhattan District Attorney Alvin Bragg that a fraud case was feasible, Pomerantz engaged in a media campaign to gin up support for this unwarranted prosecution.

Additionally, Paul Weiss discriminates against its own employees on the basis of race and other categories prohibited by civil rights laws. Paul Weiss, along with nearly every other large, influential, or industry leading law firm, makes decisions around ''targets'' based on race and sex. My Administration is committed to ending such unlawful discrimination perpetrated in the name of ''diversity, equity, and inclusion'' policies and ensuring that Federal benefits support the laws and policies of the United States, including those laws and policies promoting our national security and respecting the democratic process. Those who engage in blatant discrimination and other activities inconsistent with the interests of the United States should not have access to our Nation's secrets nor be deemed responsible stewards of any Federal funds.

Sec. 2. *Security Clearance Review.* (a) The Attorney General, the Director of National Intelligence, and all other relevant heads of executive departments and agencies (agencies) shall immediately take steps consistent with applicable law to suspend any active security clearances held by individuals at Paul Weiss and Mark Pomerantz, pending a review of whether such clearances are consistent with the national interest.

(b) The Office of Management and Budget shall identify all Government goods, property, material, and services, including Sensitive Compartmented Information Facilities, provided for the benefit of Paul Weiss. The heads

of all agencies providing such material or services shall, to the extent permitted by law, expeditiously cease such provision.

Sec. 3. *Contracting.* (a) To prevent the transfer of taxpayer dollars to Federal contractors whose earnings subsidize, among other things, activities that are not aligned with American interests, including racial discrimination, Government contracting agencies shall, to the extent permissible by law, require Government contractors to disclose any business they do with Paul Weiss and whether that business is related to the subject of the Government contract.

(b) The heads of all agencies shall review all contracts with Paul Weiss or with entities that disclose doing business with Paul Weiss under subsection (a) of this section. To the extent permitted by law, the heads of agencies shall:

(i) take appropriate steps to terminate any contract, to the maximum extent permitted by applicable law, including the Federal Acquisition Regulation, for which Paul Weiss has been hired to perform any service;

(ii) otherwise align their agency funding decisions with the interests of the citizens of the United States; with the goals and priorities of my Administration as expressed in executive actions, especially Executive Order 14147 of January 20, 2025 (Ending the Weaponization of the Federal Government); and as heads of agencies deem appropriate. Within 30 days of the date of this order, all agencies shall submit to the Director of the Office of Management and Budget an assessment of contracts with Paul Weiss or with entities that do business with Paul Weiss effective as of the date of this order and any actions taken with respect to those contracts in accordance with this order.

Sec. 4. *Racial Discrimination.* Nothing in this order shall be construed to limit the action authorized by section 4 of Executive Order 14230 of March 6, 2025 (Addressing Risks from Perkins Coie LLP).

Sec. 5. *Personnel.* (a) The heads of all agencies shall, to the extent permitted by law, provide guidance limiting official access from Federal Government buildings to employees of Paul Weiss when such access would threaten the national security of or otherwise be inconsistent with the interests of the United States. In addition, the heads of all agencies shall provide guidance limiting Government employees acting in their official capacity from engaging with Paul Weiss employees to ensure consistency with the national security and other interests of the United States.

(b) Agency officials shall, to the extent permitted by law, refrain from hiring employees of Paul Weiss, absent a waiver from the head of the agency, made in consultation with the Director of the Office of Personnel Management, that such hire will not threaten the national security of the United States.

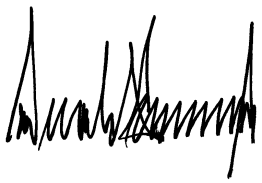
Sec. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
March 14, 2025.

[FR Doc. 2025–04867
Filed 3–19–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14238 of March 14, 2025

Continuing the Reduction of the Federal Bureaucracy

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* This order continues the reduction in the elements of the Federal bureaucracy that the President has determined are unnecessary.

Sec. 2. *Reducing the Scope of the Federal Bureaucracy.*

(a) Except as provided in subsection (b) of this section, the non-statutory components and functions of the following governmental entities shall be eliminated to the maximum extent consistent with applicable law, and such entities shall reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law:

(i) the Federal Mediation and Conciliation Service;

(ii) the United States Agency for Global Media;

(iii) the Woodrow Wilson International Center for Scholars in the Smithsonian Institution;

(iv) the Institute of Museum and Library Services;

(v) the United States Interagency Council on Homelessness;

(vi) the Community Development Financial Institutions Fund; and

(vii) the Minority Business Development Agency.

(b) Within 7 days of the date of this order, the head of each governmental entity listed in subsection (a) of this section shall submit a report to the Director of the Office of Management and Budget confirming full compliance with this order and explaining which components or functions of the governmental entity, if any, are statutorily required and to what extent.

(c) In reviewing budget requests submitted by the governmental entities listed in subsection (a) of this section, the Director of the Office of Management and Budget or the head of any executive department or agency charged with reviewing grant requests by such entities shall, to the extent consistent with applicable law and except insofar as necessary to effectuate an expected termination, reject funding requests for such governmental entities to the extent they are inconsistent with this order.

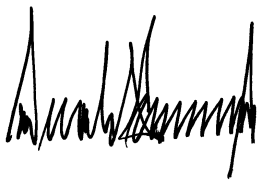
Sec. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
March 14, 2025.

[FR Doc. 2025–04868
Filed 3–19–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Memorandum of March 14, 2025

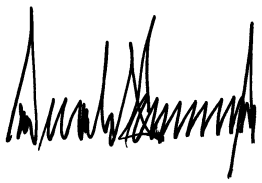
Revisions to the 2022 Unified Command Plan

Memorandum for the Secretary of Defense

Pursuant to my authority as Commander in Chief, I hereby approve and direct the implementation of the revised 2022 Unified Command Plan.

Consistent with section 161(b)(2) of title 10, United States Code, and section 301 of title 3, United States Code, you are directed to notify the Congress on my behalf.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, March 14, 2025

[FR Doc. 2025–04869
Filed 3–19–25; 8:45 am]
Billing code 6001–FR–P

Rules and Regulations

Federal Register
Vol. 90, No. 53
Thursday, March 20, 2025

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2024–0216]

RIN 3150–AL25

List of Approved Spent Fuel Storage Casks: NAC International, Inc., MAGNASTOR® Storage System, Certificate of Compliance No. 1031, Amendment No. 15

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its spent fuel storage regulations by revising the NAC International, Inc. MAGNASTOR® Storage System listing within the ''List of approved spent fuel storage casks'' to include Amendment No. 15 to Certificate of Compliance No. 1031. Amendment No. 15 revises the certificate of compliance to add a new variation of the Lightweight MAGNASTOR® Transfer Cask design, add a new concrete cask design, increase the maximum system head load capacity, add new loading patterns, add a thermal shunt for short loading patterns, remove the 5 percent burnup penalty, increase Passive MAGNASTOR® Transfer Cask heat load, add two new pressurized-water reactor fuel types to support future operations, modify the transportable storage canister lid to allow additional clearance near the top center of the basket, and correct and clarify principal design criteria, operating procedures, and the acceptance criteria and maintenance program.

This amendment also makes corresponding revisions to previously approved drawings for the concrete cask, Technical Specifications Appendix A and Appendix B, specific chapters of the final safety analysis report, and several license drawings.

DATES: This direct final rule is effective June 3, 2025, unless significant adverse comments are received by April 21, 2025. If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Comments received on this direct final rule also will be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

ADDRESSES: Submit your comments, identified by Docket ID NRC–2024–0216, at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* call or email the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

You can read a plain language description of this direct final rule at *https://www.regulations.gov/docket/NRC-2024-0216.* 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: Irene Wu, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–1951, email: *Irene.Wu@nrc.gov* and Donald Habib, telephone: 301–415–1035, email: *Donald.Habib@nrc.gov.* Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0216 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–2024–0216. Address questions about NRC dockets to Helen Chang, telephone: 301–415–3228, email: *Helen.Chang@nrc.gov.* For technical questions contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *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, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *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, 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–2024–0216 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. Rulemaking Procedure

This rule is limited to the changes contained in Amendment No. 15 to Certificate of Compliance No. 1031 and does not include other aspects of the NAC International, Inc. MAGNASTOR® Storage System design. The NRC is using the ''direct final rule procedure'' for this rule because it represents a limited and routine change to an existing certificate of compliance that is expected to be non-controversial. Adequate protection of public health and safety continues to be reasonably assured. The amendment to the rule will become effective on June 3, 2025. However, if the NRC receives any significant adverse comment by April 21, 2025, then the NRC will publish a document that withdraws this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register** or as otherwise appropriate. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule, certificate of compliance, or technical specifications.

III. Background

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that ''[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.'' Section 133 of the Nuclear Waste Policy Act states, in part, that ''[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.''

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR) entitled ''General License for Storage of Spent Fuel at Power Reactor Sites'' (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled ''Approval of Spent Fuel Storage Casks,'' which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on November 21, 2008 (73 FR 70587), that approved the NAC International, Inc. MAGNASTOR® Storage System design and added it to the list of NRC-approved cask designs in § 72.214, ''List of approved spent fuel storage casks,'' as Certificate of Compliance No. 1031.

IV. Discussion of Changes

On August 29, 2023, NAC International, Inc. submitted a request to the NRC to amend Certificate of Compliance No. 1031. NAC International, Inc. supplemented its request on October 26, 2023, October 8, 2024, and December 9, 2024. Amendment No. 15 revises the certificate of compliance as follows:

1. Add a new variation of the Lightweight MAGNASTOR® Transfer Cask (LMTC) ''Reduced Width LMTC.''
2. Add a new concrete cask design known as CC8. The CC8 is based on the CC7 configuration and uses high density concrete for enhanced shielding.
3. Increase the maximum system heat load capacity.
4. Add new pressurized-water reactor (PWR) loading patterns L, M and N (pattern N is a short loading pattern).
5. Add a ''thermal shunt'' to allow for short loading patterns.
6. Add new boiling water reactor loading patterns E and F.
7. Remove the 5 percent burnup ''penalty.''
8. Increase the Passive MAGNASTOR® Transfer Cask (PMTC) heat load (30 kilowatt (kW) to 35.5 kW including preferential loading pattern B).
9. Revise previously approved drawings for the concrete cask for CC8, PMTC, and LMTC.
10. Revise Technical Specifications, Appendix A to include increased heat loads and loading patterns.
11. Revise Technical Specifications, Appendix B to include increased heat loads and loading patterns and removal of cool-time tables B2–13 through B2–43.
12. Add two new PWR fuel types to support future site operations, resulting in revisions to structural, thermal, shielding, and criticality chapters of the final safety analysis report.
13. Modify the transportable storage canister lid to allow additional clearance near the top center of the basket.
14. Revise license drawings 71160–584, –585, –684, and –685.
15. Correct and clarify the principal design criteria, operating procedures, and the acceptance criteria and maintenance program.

As documented in the preliminary safety evaluation report, the NRC performed a safety evaluation of the proposed certificate of compliance amendment request. The NRC determined that this amendment does not reflect a significant change in design or fabrication of the cask. Specifically, the NRC determined that the design of the cask would continue to maintain confinement, shielding, and criticality control in the event of each evaluated accident condition. In addition, any resulting occupational exposure or offsite dose rates from the implementation of Amendment No. 15 would remain well within the limits specified by 10 CFR part 20, ''Standards for Protection Against Radiation.'' Therefore, the NRC found there will be

no significant change in the types or amounts of any effluent released, no significant increase in the individual or cumulative radiation exposure, and no significant increase in the potential for or consequences from radiological accidents.

The NRC determined that the amended NAC International, Inc. MAGNASTOR® Storage System cask design, when used under the conditions specified in the certificate of compliance, the technical specifications, and the NRC's regulations, will meet the requirements of 10 CFR part 72; therefore, adequate protection of public health and safety will continue to be reasonably assured. When this direct final rule becomes effective, persons who hold a general license under § 72.210, ''General license issued,'' may, consistent with the license conditions under § 72.212, ''Conditions of general license issued under § 72.210,'' load spent nuclear fuel into NAC International, Inc. MAGNASTOR® Storage System casks that meet the criteria of Amendment No. 15 to Certificate of Compliance No. 1031.

V. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995 (Pub. L. 104–113) requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this direct final rule, the NRC revises the NAC International, Inc. MAGNASTOR® Storage Cask System design listed in § 72.214. This action does not constitute the establishment of a standard that contains generally applicable requirements.

VI. Agreement State Compatibility

Under the ''Agreement State Program Policy Statement'' approved by the Commission on October 2, 2017, and published in the **Federal Register** on October 18, 2017 (82 FR 48535), this rule is classified as Compatibility Category NRC—Areas of Exclusive NRC Regulatory Authority. The NRC program elements in this category are those that relate directly to areas of regulation reserved to the NRC by the Atomic Energy Act of 1954, as amended, or the provisions of 10 CFR chapter I. Therefore, compatibility is not required for program elements in this category.

VII. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998 (63 FR 31885). The NRC requests comment on this direct final rule with respect to clarity and effectiveness of the language used.

VIII. Environmental Assessment and Finding of No Significant Impact

Under the National Environmental Policy Act of 1969, as amended, and the NRC's regulations in 10 CFR part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,'' the NRC has determined that this direct final rule, if adopted, would not be a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact statement is not required. The NRC has made a finding of no significant impact on the basis of this environmental assessment. This environmental assessment and finding of no significant impact can be tracked with identification number CEQ ID EAXX–429–00–000–1737689343.

A. The Action

The action is to amend § 72.214 to revise the NAC International, Inc. MAGNASTOR® Storage System listing within the ''List of approved spent fuel storage casks'' to include Amendment No. 15 to Certificate of Compliance No. 1031.

B. The Need for the Action

This direct final rule amends the certificate of compliance for the NAC International, Inc. MAGNASTOR® Storage System design within the list of approved spent fuel storage casks to allow power reactor licensees to store spent fuel at reactor sites in casks with the approved modifications under a general license. Specifically, Amendment No. 15 revises the certificate of compliance as follows:

1. Add a new variation of the LMTC ''Reduced Width LMTC.''

2. Add a new concrete cask design known as CC8. The CC8 is based on the CC7 configuration and uses high density concrete for enhanced shielding.

3. Increase the maximum system heat load capacity.

4. Add new PWR loading patterns L, M and N (pattern N is a short loading pattern).

5. Add a ''thermal shunt'' to allow for short loading patterns.

6. Add new boiling water reactor loading patterns E and F.

7. Remove the 5 percent burnup ''penalty.''

8. Increase the PMTC heat load (30 kW to 35.5 kW including preferential loading pattern B).

9. Revise previously approved drawings for the concrete cask for CC8, PMTC, and LMTC.

10. Revise Technical Specifications, Appendix A to include increased heat loads and loading patterns.

11. Revise Technical Specifications, Appendix B to include increased heat loads and loading patterns and removal of cool-time tables B2–13 through B2–43.

12. Add two new PWR fuel types to support future site operations, resulting in revisions to structural, thermal, shielding, and criticality chapters of the final safety analysis report.

13. Modify the transportable storage canister lid to allow additional clearance near the top center of the basket.

14. Revise license drawings 71160–584, –585, –684, and –685.

15. Correct and clarify the principal design criteria, operating procedures, and the acceptance criteria and maintenance program.

C. Environmental Impacts of the Action

On July 18,1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent fuel under a general license in cask designs approved by the NRC. The potential environmental impact of using NRC-approved storage casks was analyzed in the environmental assessment for the 1990 final rule. The environmental assessment for this Amendment No. 15 tiers off of the environmental assessment for the July 18, 1990, final rule. Tiering on past environmental assessments is a standard process under the National Environmental Policy Act of 1969, as amended.

The NAC International, Inc. MAGNASTOR® Storage System is designed to mitigate the effects of design basis accidents that could occur during storage. Design basis accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area. Postulated accidents analyzed for an independent spent fuel storage installation, the type of facility at which a holder of a power reactor operating license would store spent fuel in casks in accordance with 10 CFR part 72, can include tornado winds and tornado-generated missiles, a design basis earthquake, a design basis flood, an accidental cask drop, lightning effects, fire, explosions, and other incidents.

This amendment does not reflect a significant change in design or fabrication of the cask. Because there are no significant design or process changes, any resulting occupational exposure or offsite dose rates from the implementation of Amendment No. 15 would remain well within the 10 CFR part 20 limits. The NRC has also determined that the design of the cask as modified by this rule would maintain confinement, shielding, and criticality control in the event of an accident. Therefore, the proposed changes will not result in any radiological or non-radiological environmental impacts that significantly differ from the environmental impacts evaluated in the environmental assessment supporting the July 18, 1990, final rule. There will be no significant change in the types or significant revisions in the amounts of any effluent released, no significant increase in the individual or cumulative radiation exposures, and no significant increase in the potential for, or consequences from, radiological accidents. The NRC documented its safety findings in the preliminary safety evaluation report.

D. Alternative to the Action

The alternative to this action is to deny approval of Amendment No. 15 and not issue the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into the NAC International, Inc. MAGNASTOR® Storage System in accordance with the changes described in proposed Amendment No. 15 would have to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, interested licensees would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee. The environmental impacts would be the same as the proposed action.

E. Alternative Use of Resources

Approval of Amendment No. 15 to Certificate of Compliance No. 1031 would result in no irreversible and irretrievable commitments of Federal resources.

F. Agencies and Persons Contacted

No agencies or persons outside the NRC were contacted in connection with the preparation of this environmental assessment.

G. Finding of No Significant Impact

The environmental impacts of the action have been reviewed under the requirements in the National Environmental Policy Act of 1969, as amended, and the NRC's regulations in subpart A of 10 CFR part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.'' Based on the foregoing environmental assessment, the NRC concludes that this direct final rule, ''List of Approved Spent Fuel Storage Casks: NAC International, Inc. MAGNASTOR® Storage System Certificate of Compliance No. 1031, Amendment No. 15,'' will not have a significant effect on the quality of the human environment. Therefore, the NRC has determined that an environmental impact statement is not necessary for this direct final rule.

IX. Paperwork Reduction Act Statement

This direct final rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval number 3150–0132.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

X. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the NRC certifies that this direct final rule will not, if issued, have a significant economic impact on a substantial number of small entities. This direct final rule affects only nuclear power plant licensees and NAC International, Inc. These entities do not fall within the scope of the definition of small entities set forth in the Regulatory Flexibility Act or the size standards established by the NRC (§ 2.810).

XI. Regulatory Analysis

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent nuclear fuel under a general license in cask designs approved by the NRC. Any nuclear power reactor licensee can use NRC-approved cask designs to store spent nuclear fuel if (1) it notifies the NRC in advance; (2) the spent fuel is stored under the conditions specified in the cask's certificate of compliance; and (3) the conditions of the general license are met. A list of NRC-approved cask designs is contained in § 72.214. On November 21, 2008 (73 FR 70587), the NRC issued an amendment to 10 CFR part 72 that approved the NAC International, Inc. MAGNASTOR® Storage System design by adding it to the list of NRC-approved cask designs in § 72.214.

On August 29, 2023, and as supplemented on October 26, 2023, October 8, 2024, and December 9, 2024, NAC International, Inc. submitted a request to amend Certificate of Compliance No. 1031 as described in Section IV, ''Discussion of Changes,'' of this document.

The alternative to this action is to withhold approval of Amendment No. 15 and to require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into the NAC International, Inc. MAGNASTOR® Storage System under the changes described in Amendment No. 15 to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, each interested 10 CFR part 72 licensee would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee.

Approval of this direct final rule is consistent with previous NRC actions. Further, as documented in the preliminary safety evaluation report and environmental assessment, this direct final rule will have no adverse effect on public health and safety or the environment. This direct final rule has no significant identifiable impact or benefit on other government agencies. Based on this regulatory analysis, the NRC concludes that the requirements of this direct final rule are commensurate with the NRC's responsibilities for public health and safety and the common defense and security. No other available alternative is believed to be as satisfactory; therefore, this action is recommended.

XII. Backfitting and Issue Finality

The NRC has determined that the regulations in 10 CFR 72.62, ''Backfitting,'' do not apply to this direct final rule. This direct final rule revises Certificate of Compliance No. 1031 for the NAC International, Inc. MAGNASTOR® Storage System, as currently listed in § 72.214. The revision consists of the changes in Amendment No. 15 previously described, as set forth in the revised certificate of compliance and technical specifications.

Amendment No. 15 to Certificate of Compliance No. 1031 for the NAC

International, Inc. MAGNASTOR® Storage System was initiated by NAC International, Inc. and was not submitted in response to new NRC requirements, or an NRC request for amendment. Amendment No. 15 applies only to new casks fabricated and used under Amendment No. 15. These changes do not affect existing users of the NAC International, Inc. MAGNASTOR® Storage System, and the current Amendment No. 14 continues to be effective for existing users. While current users of this storage system may comply with the new requirements in Amendment No. 15, this would be a voluntary decision on the part of current users.

For these reasons, Amendment No. 15 to Certificate of Compliance No. 1031 does not constitute backfitting under § 72.62 or § 50.109(a)(1), or otherwise represent an inconsistency with the issue finality provisions applicable to combined licenses in 10 CFR part 52. Accordingly, the NRC has not prepared a backfit analysis for this rulemaking.

XIII. Congressional Review Act

This direct final rule is not a rule as defined in the Congressional Review Act.

XIV. Availability of Documents

The documents identified in the following table are available to interested persons as indicated.

Document	ADAMS Accession No./ Web link/**Federal Register** citation
Proposed Certificate of Compliance and Proposed Technical Specifications	
Proposed Certificate of Compliance No. 1031, Amendment No. 15	ML24340A131.
Proposed Certificate of Compliance No. 1031, Amendment No. 15, Appendix A: Technical Specifications and Design Features.	ML24340A132.
Proposed Certificate of Compliance No. 1031, Amendment No. 15, Appendix B: Approved Contents	ML24340A133.
Preliminary Safety Evaluation Report, Certificate of Compliance No. 1031, Amendment No. 15	ML24340A134.
NAC International, Inc. MAGNASTOR® Storage System Amendment No. 15 Request Documents	
NAC International, Inc., Submission of an Amendment Request for the MAGNASTOR® Cask System, Amendment No. 15, dated August 29, 2023.	ML23241B052 (package).
NAC International, Inc., Supplement to the Amendment Request No. 15 for the MAGNASTOR® Cask System, dated October 26, 2023.	ML23300A137 (package).
NAC International, Inc., Submission of Responses to the NRC's Request for Additional Information for MAGNASTOR® Cask System, Amendment No. 15, dated October 8, 2024.	ML24283A084 (package).
NAC International, Inc., Submission of Data Files to Support the NRC's Review of MAGNASTOR® Amendment No. 15, dated October 8, 2024.	ML24284A267.
NAC International, Inc., Submission of a Supplement for Responses to the NRC's Request for Additional Information for MAGNASTOR® Cask System, Amendment No. 15, dated December 9, 2024.	ML24344A171 (package).
Other Documents	
Rulemaking Memorandum for Amendment No. 15 for the MAGNASTOR® Storage System, dated January 12, 2025.	ML24340A130.
Final Rule, ''Storage of Spent Fuel in NRC-Approved Storage Casks at Power Reactor Sites,'' published July 18, 1990.	55 FR 29181.
Final Rule, ''List of Approved Spent Fuel Storage Casks: MAGNASTOR Addition,'' published November 21, 2008	73 FR 70587.
Revision to Policy Statement, ''Agreement State Program Policy Statement; Correction,'' published October 18, 2017.	82 FR 48535.
Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998	63 FR 31885.

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at *https://www.regulations.gov* under Docket ID NRC–2024–0216. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2024–0216); (2) click the ''Subscribe'' link; and (3) enter an email address and click on the ''Subscribe'' link.

List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Hazardous waste, Indians, Intergovernmental relations, Nuclear energy, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR part 72:

PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a),

10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, Certificate of Compliance No. 1031 is revised to read as follows:

§ 72.214 List of approved spent fuel storage casks.

* * * * *

Certificate Number: 1031.

Initial Certificate Effective Date: February 4, 2009, superseded by Initial Certificate, Revision 1, on February 1, 2016, superseded by Initial Certificate, Revision 2, on October 16, 2023, superseded by Initial Certificate, Revision 3, on March 19, 2025.

Amendment Number 1 Effective Date: August 30, 2010, superseded by Amendment Number 1, Revision 1, on February 1, 2016, superseded by Amendment Number 1, Revision 2, on October 16, 2023, superseded by Amendment Number 1, Revision 3, on March 19, 2025.

Amendment Number 2 Effective Date: January 30, 2012, superseded by Amendment Number 2, Revision 1, on February 1, 2016, superseded by Amendment Number 2, Revision 2, on October 16, 2023, superseded by Amendment Number 2, Revision 3, on March 19, 2025.

Amendment Number 3 Effective Date: July 25, 2013, superseded by Amendment Number 3, Revision 1, on February 1, 2016, superseded by Amendment Number 3, Revision 2, on October 16, 2023, superseded by Amendment Number 3, Revision 3, on March 19, 2025.

Amendment Number 4 Effective Date: April 14, 2015, superseded by Amendment Number 4, Revision 1, on October 16, 2023, superseded by Amendment Number 4, Revision 2, on March 19, 2025.

Amendment Number 5 Effective Date: June 29, 2015, superseded by Amendment Number 5, Revision 1, on October 16, 2023, superseded by Amendment Number 5, Revision 2, on March 19, 2025.

Amendment Number 6 Effective Date: December 21, 2016, superseded by Amendment Number 6, Revision 1, on October 16, 2023, superseded by Amendment Number 6, Revision 2, on March 19, 2025.

Amendment Number 7 Effective Date: August 21, 2017, as corrected (ADAMS Accession No. ML19045A346), superseded by Amendment Number 7, Revision 1, on October 16, 2023, superseded by Amendment Number 7, Revision 2, on March 19, 2025.

Amendment Number 8 Effective Date: March 24, 2020, superseded by Amendment Number 8, Revision 1, on October 16, 2023, superseded by Amendment Number 8, Revision 2, on March 19, 2025.

Amendment Number 9 Effective Date: December 7, 2020, superseded by Amendment Number 9, Revision 1, on October 16, 2023, superseded by Amendment Number 9, Revision 2, on March 19, 2025.

Amendment Number 10 Effective Date: January 18, 2023, superseded by Amendment Number 10, Revision 1, on March 19, 2025.

Amendment Number 11 Effective Date: October 16, 2023, superseded by Amendment Number 11, Revision 1, on March 19, 2025.

Amendment Number 12 Effective Date: October 16, 2023, superseded by Amendment Number 12, Revision 1, on March 19, 2025.

Amendment Number 13 Effective Date: November 19, 2024, superseded by Amendment Number 13, Revision 1, on March 19, 2025.

Amendment Number 14 Effective Date: March 19, 2025.

Amendment Number 15 Effective Date: June 3, 2025.

SAR Submitted by: NAC International, Inc.

SAR Title: Final Safety Analysis Report for the MAGNASTOR® System.

Docket Number: 72–1031.

Certificate Expiration Date: February 4, 2029.

Model Number: MAGNASTOR®.

* * * * *

Dated: March 14, 2025.

For the Nuclear Regulatory Commission.

Mirela Gavrilas,

Executive Director for Operations.

[FR Doc. 2025–04651 Filed 3–19–25; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF ENERGY

10 CFR Parts 429 and 430

[EERE–2022–BT–TP–0028]

RIN 1904–AF49

Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule; further delay of effective date.

SUMMARY: This document further delays the effective date of a recently published final rule amending the test procedures for central air conditioners and heat pumps.

DATES: As of March 20, 2025, the effective date of the rule amending 10 CFR parts 429 and 430 published in the **Federal Register** at 90 FR 1224 on January 7, 2025, is delayed until May 20, 2025. The incorporation by reference approval published at 90 FR 1224 on January 7, 2025, is delayed to May 20, 2025.

FOR FURTHER INFORMATION CONTACT: Dr. Pradeep Prathibha, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 255–0630. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *peter.cochran@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On January 20, 2025, President Trump issued the ''Regulatory Freeze Pending Review'' memorandum published in the **Federal Register** on January 25, 2025 (90 FR 8249). This presidential action ordered all executive departments and agencies to consider postponing for 60-days the effective date of certain rules published in the **Federal Register** for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. Additionally, executive departments and agencies were to consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under the memorandum.

Consistent with the Presidential Memorandum of January 20, 2025, the U.S. Department of Energy (''DOE'') delayed the effective date of its final rule amending the test procedures for central air conditioners and heat pumps (CAC/HP) published in the **Federal Register** on January 7, 2025 (90 FR 1224) to March 21, 2025. 90 FR 9001 (Feb. 5, 2025). DOE also requested comments on the impacts of a further delay of the test procedures as well as legal, factual, or policy issues raised by the rule.

DOE received comments in response to the February 2025 delay of effective date from the interested parties listed in Table 1.

TABLE 1—LIST OF COMMENTERS IN RESPONSE TO THE FEBRUARY 2025 DELAY OF EFFECTIVE DATE

Commenter(s)	Abbreviation	Comment No.	Commenter type
Air-Conditioning, Heating, and Refrigeration Institute	AHRI	48	Trade Association.
Robert Bosch LLC	Bosch	51	Manufacturer.
Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison.	CA IOUs	56	Utilities.
Carrier Global Corporation	Carrier	45	Manufacturer.
Daikin Comfort Technologies North America Inc Daikin 36 and 40 Manufacturer.	Daikin	57	Manufacturer.
Fujitsu General America, Inc	FGAI	59	Manufacturer.
GE Appliances	GE Appliances	50	Manufacturer.
Johnson Controls	JCI	52	Manufacturer.
Appliance Standards Awareness Project, American Council for an Energy-Efficient Economy, National Consumer Law Center.	Joint Advocates	55	Advocacy Organizations.
Lennox International Inc	Lennox	46	Manufacturer.
LG Electronics U.S.A., Inc	LG	54	Manufacturer.
Mitsubishi Electric US	Mitsubishi	47	Manufacturer.
Northwest Energy Efficiency Alliance	NEEA	49	Advocacy Organization.
Rheem Manufacturing Company	Rheem	53	Manufacturer.
Trane Technologies	Trane	58	Manufacturer.

A parenthetical reference at the end of a comment quotation or paraphrase provides the location of the item in the public record.[1]

Several commenters, including CAC/HP manufacturers, stated that DOE should not delay the effective date of test procedure.[2] Specifically, these commenters note that the test procedures incorporate latest industry standards, which were developed by a broad group of stakeholders. Additionally, these commenters assert that the test procedure is reasonable designed to measure energy efficiency without being unduly burdensome to conduct.

However, other commenters, also including CAC/HP manufacturers, supported delaying the effective date of the test procedure or delaying in the enforcement of a specific aspect of the test procedure, the controls verification procedure (CVP). These commenters note that the CVP is new and that manufacturers need additional time to determine whether the tests are accurate and repeatable, as well as not unduly burdensome to conduct. (JCI, Doc. No. 52 at 1–2; Bosch, Doc. No. 51 at 2; LG, Doc. No. 54 at 1). AHRI, the organization that adopted an industry standard that included the CVP, recommends that DOE defer the effective date of the CVP enforcement provisions until after finalized tolerances have been supported by test data. (AHRI, Doc. No. 48 at 2). AHRI reports that it is currently analyzing CVP test data collected by third-party test laboratories and will work to collect additional data during the 2025 certification year. AHRI and others recommend that DOE defer enforcing the CVP provisions until after this analysis is complete (estimated to be July 2026). (*Id.;* Bosch, Doc. No. 51 at 2; Daikin, Doc. No. 57 at 3; Rheem, Doc. No. 53 at 2). In the alternative, commenters suggested that DOE exercise enforcement discretion to delay the CVP enforcement provisions. (Daikin, Doc No. 57 at 2; GE, Doc. No. 50 at 3).

In addition to concerns related to the consistency and repeatability of the CVP test, commenters also expressed concern related to the potential regulatory burden. Specifically, Daikin stated that, after it tested several models, it determined that CVP will require re-design of some existing products. (Daikin, Doc No. 57. at 4). Daikin also asserted that the cost of conducting CVP tests is a heavy burden on manufacturers. (*Id.; see* JCI, Doc. No. 52 at 2; Mitsubishi, Doc. No. 47 at 2).

DOE is still in the process of reviewing questions of fact, law, and policy for this rule. Further, DOE has received significant comment related to the accuracy and burden of the test procedure. As such, and consistent with the Presidential Memorandum of January 20, 2025, DOE further delays the effective date of this rule another 60-days to May 20, 2025.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice of hearing is required by statute. Further, the delay of the effective date to May 20, 2025, does not affect the compliance date for this rule, which remains July 7, 2025. As such, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on March 13, 2025, by Louis Hrkman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, 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 13, 2025.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–04473 Filed 3–19–25; 8:45 am]

BILLING CODE 6450–01–P

[1] The parenthetical reference provides a reference for information located in the docket of DOE's rulemaking to develop test procedures for CAC/HPs. (Docket No. EERE–2022–BT–TP–0028, which is maintained at: *www.regulations.gov*). The references are arranged as follows: (commenter name, comment docket ID number at page of that document).

[2] CA IOUs, Doc. No. 56 at 2; Carrier, Doc. No. 45 at 1–2; Joint Advocates, Doc. No. 55 at 1; Lennox, Doc. No. 46 at 1; NEEA, Doc. No. 49 at 1, 6; Trane, Doc. No. 58 at 2.

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2017–BT–STD–0019]

RIN 1904–AF65

Energy Conservation Program: Energy Conservation Standards for Consumer Gas-Fired Instantaneous Water Heaters

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Final rule; delay of effective date.

SUMMARY: This document further delays the effective date of a recently published final rule amending the energy conservation standards for gas-fired instantaneous water heaters.

DATES: As of March 20, 2025, the effective date of the rule amending 10 CFR part 430 published at 89 FR 105188 on December 26, 2024, is delayed until May 20, 2025.

FOR FURTHER INFORMATION CONTACT: Ms. Julia Hegarty, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 597–6737 Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Mr. Uchechukwu ''Emeka'' Eze, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *uchechukwu.eze@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On January 20, 2025, President Trump issued the ''Regulatory Freeze Pending Review'' memorandum, published in the **Federal Register** on January 28, 2025 (90 FR 8249). The Presidential Memorandum ordered all executive departments and agencies to consider postponing for 60-days the effective date of certain rules published in the **Federal Register** for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. Additionally, executive departments and agencies were to consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under the memorandum.

Consistent with the Presidential Memorandum of January 20, 2025, the U.S. Department of Energy (''DOE'') delayed the effective date of the final rule amending energy conservation standards for gas-fired instantaneous water heaters published in the **Federal Register** on December 26, 2024, to March 21, 2025. 90 FR 9951 (Feb. 20, 2025). DOE also sought comment on any further delay of the effective date, including the impacts of such delay, as well as comment on the legal, factual, or policy issues raised by the rule. DOE received several comments from stakeholders related to the legal, factual, and policy issues raised by the final rule.

DOE is still in the process of reviewing questions of fact, law, and policy for this rule and comment received on the rule. As such, and consistent with the Presidential Memorandum of January 20, 2025, DOE further delays the effective date of this rule another 60-days to May 20, 2025.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) for which no notice or hearing is required by statute. Further, the delay of the effective date to May 20, 2025, does not affect the compliance date for this rule, which remains December 26, 2029. As such, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on March 13, 2025, by Lou Hrkman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, 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 13, 2025.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–04475 Filed 3–19–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 431

[EERE–2017–BT–STD–009]

RIN 1904–AD79

Energy Conservation Program: Energy Conservation Standards for Walk-In Coolers and Walk-In Freezers

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Final rule; delay of effective date.

SUMMARY: This document further delays the effective date of a recently published final rule adopting amended energy conservation standards for walk-in coolers and freezers.

DATES: As of March 20, 2025, the effective date of the rule amending 10 CFR part 431 published in the **Federal Register** at 89 FR 104616 on December 23, 2024, is delayed until May 20, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Troy Watson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 449–9387. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Ani Esenyan, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *ani.esenyan@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On January 20, 2025, President Trump issued the ''Regulatory Freeze Pending Review'' memorandum, published in the **Federal Register** on January 28, 2025 (90 FR 8249). This presidential action ordered all executive departments and agencies to consider postponing for 60 days the effective date of certain rules published in the **Federal Register** for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. Additionally, executive departments and agencies were to consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under the memorandum.

Consistent with the Presidential Memorandum of January 20, 2025, the U.S. Department of Energy (''DOE'') delayed the effective date of its final rule adopting amended energy conservation standards for walk-in coolers and freezers (''walk-ins'' or

''WICFs'') published in the **Federal Register** on December 23, 2024 (89 FR 104616) and an accompanying correction document published in the **Federal Register** on January 7, 2025 (90 FR 1029) to March 21, 2025. 90 FR 9951 (Feb. 20, 2025). DOE also sought comment on any further delay of the effective date, including the impacts of such delay, as well as comment on the legal, factual, or policy issues raised by the rule.

DOE is still in the process of reviewing questions of fact, law, and policy for this rule and comment received on the rule. As such, and consistent with the Presidential Memorandum of January 20, 2025, DOE further delays the effective date of this rule another 60-days to May 20, 2025.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Further, the delay of the effective date to May 20, 2025, does not affect the compliance date for this rule, which remains December 23, 2027, for walk-in non-display doors and December 31, 2028, for walk-in refrigeration systems. As such, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on March 13, 2025, by Lou Hrkman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, 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 13, 2025.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–04474 Filed 3–19–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2025–0078; Special Conditions No. 25–876–SC]

Special Conditions: Canard Aerospace Corporation, DeHavilland Model DHC–8–400 Series Airplane; Electronic System Security Protection From Unauthorized External Access

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for a supplemental type certificate (STC) to install a digital systems architecture on the DeHavilland Model DHC–8–400 series airplane. This airplane, as modified by the Canard Aerospace Corporation (Canard), will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature is the installation of a digital systems architecture that will allow increased connectivity to and access from external network sources (*e.g.,* operator networks, wireless devices, internet connectivity, service provider satellite communications, electronic flight bags, etc.) to the airplane's previously isolated electronic assets (networks, systems, and databases). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Canard on March 20, 2025. Send comments on or before May 5, 2025.

ADDRESSES: Send comments identified by Docket No. FAA–2025–0078 using any of the following methods:

- *Federal eRegulations Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Thuan T. Nguyen, Avionics Software and Components Unit, AIR–626D, Technical Policy Branch, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone (206) 231–3365; email: *Thuan.T.Nguyen@faa.gov.*

SUPPLEMENTARY INFORMATION: The substance of these special conditions has been published in the **Federal Register** for public comment in several prior instances with no substantive comments received. Therefore, the FAA finds, pursuant to 14 CFR 11.38(b), that new comments are unlikely, and notice and comment prior to this publication are unnecessary.

Privacy

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

Confidential Business Information

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 these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, 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 the indicated comments will not be placed in the public docket of these special conditions. Send submissions containing CBI to the individual listed in the **FOR FURTHER INFORMATION CONTACT** section above. Comments the FAA receives, which are not specifically designated as CBI, will be placed in the public docket for these special conditions.

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments. The FAA may change these special conditions based on the comments received.

Background

On April 15, 2024, Canard applied for a supplemental type certificate to install a digital systems architecture on the DeHavilland Model DHC–8–400 series airplane that will allow increased connectivity to and access from external network sources (*e.g.,* operator networks, wireless devices, internet connectivity, service provider satellite communications, electronic flight bags, etc.) to the airplane's previously isolated electronic assets (networks, systems, and databases). The DeHavilland Model DHC–8–400 series airplane is a twin-engine airplane with a passenger capacity of 68 and a maximum takeoff weight of 61,700 pounds.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, Canard must show that the Model DeHavilland DHC–8–400 series airplane, as changed, continues to meet the applicable provisions of the regulations listed in Type Certificate No. A13NM or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the listed airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the DeHavilland DHC–8–400 series airplane must comply with the exhaust-emission requirements of 14 CFR part 34, and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Features

The Model DeHavilland DHC–8–400 series airplane, as modified by Canard, will incorporate the following novel or unusual design feature(s):

The installation of a digital systems architecture that will allow increased connectivity to and access from external network sources, (*e.g.,* operator networks, wireless devices, internet connectivity, service provider satellite communications, electronic flight bags, etc.) to the airplane's previously isolated electronic assets (networks, systems, and databases).

Discussion

The DeHavilland Model DHC–8–400 series airplanes electronic system architecture and network configuration change is novel or unusual for commercial transport airplanes because it may allow increased connectivity to and access from external network sources, airline operations, and maintenance networks, to the airplane control domain, and airline information services domain. The airplane's control domain and airline information-services domain perform functions required for the safe operation and maintenance of the airplane. Previously, these domains had very limited connectivity with external network sources. This data network and design integration creates a potential for unauthorized persons to access the airplane's control domain and airline information-services domain and presents security vulnerabilities related to the introduction of computer viruses and worms, user errors, and intentional sabotage of airplane electronic assets (networks, systems, and databases) critical to the safety and maintenance of the airplane.

The existing FAA regulations did not anticipate these networked airplane-system architectures. Furthermore, these regulations and the current guidance material do not address potential security vulnerabilities, which could be exploited by unauthorized access to airplane networks, data buses, and servers. Therefore, these special conditions ensure that the security (*i.e.,* confidentiality, integrity, and availability) of the airplane's systems is not compromised by unauthorized wired or wireless electronic connections. This includes ensuring that the security of the airplane's systems is not compromised during maintenance of the airplane's electronic systems. These special conditions also require the applicant to provide appropriate instructions to the operator to maintain all electronic-system safeguards that have been implemented as part of the original network design so that this feature does not allow or introduce security threats.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the DeHavilland DHC–8–400 series airplane, as modified by Canard. Should Canard apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A13NM to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

This action affects only a certain novel or unusual design feature for the DeHavilland Model DHC–8–400 series airplanes, modified by Canard. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701, 44702, and 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the DeHavilland DHC–8–400 series airplanes, as modified by Canard.

1. The applicant must ensure that the airplane electronic system security is protected from access by unauthorized sources external to the airplane, including those possibly caused by maintenance activity.

2. The applicant must ensure that electronic system security threats are identified and assessed, and that effective electronic system security protection strategies are implemented to protect the airplane from all adverse impacts on safety, functionality, and continued airworthiness.

3. The applicant must establish appropriate procedures to allow the operator to ensure that continued airworthiness of the aircraft is maintained, including all post type certification modifications that may have an impact on the approved electronic system security safeguards.

Issued in Kansas City, Missouri, on March 14, 2025.

Patrick R. Mullen,

Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2025–04664 Filed 3–19–25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2023–2194; Airspace Docket No. 23–ASO–19]

RIN 2120–AA66

Amendment of VOR Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and United States Area Navigation (RNAV) Route T–315, and Revocation of VOR Federal Airway V–19 in the Vicinity of Cincinnati, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and United States (U.S.) Area Navigation (RNAV) Route T–315; and revokes VOR Federal Airway V–19. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Cincinnati, KY (CVG), VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The Cincinnati VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published an NPRM for Docket No. FAA–2023–2194 in the **Federal Register** (88 FR 77238; November 9, 2023), proposing to amend VOR Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and U.S. RNAV Route T–315; and revoke VOR Federal Airway V–19 due to the planned decommissioning of the VOR portion of the Cincinnati, KY, VORTAC NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Differences From the NPRM

Subsequent the NPRM, the FAA published a final rule for Docket No. FAA–2023–1737 in the **Federal Register** (89 FR 42795; May 16, 2024), amending VOR Federal Airway V–128 by removing the airway segment between the Cincinnati, KY (reflected as OH in that final rule), VORTAC and the Charleston, WV, VORTAC. Additionally, that final rule amended U.S. RNAV Route T–315 by extending the route westward from the JARLO, WV, Waypoint (WP) to the JIMUR, KY, Fix and included the CALIF, KY, Fix and the ILILE, OH, WP in the extension. Those route amendments were effective July 11, 2024, and are included in this final rule.

Additionally, subsequent the NPRM, the FAA published a final rule for Docket No. FAA–2024–1848 in the **Federal Register** (90 FR 9216; February 10, 2025), amending VOR Federal Airway V–97 by removing the airway segment between the Dolphin, FL, VORTAC and the St. Petersburg, FL, VORTAC. That airway amendment is effective April 17, 2025, and is also included in this final rule.

Finally, the NPRM addressed the VOR Federal Airway V–97 proposed airway amendments in the preamble, but the ''as amended'' airway information did not match the description in the regulatory text for the airway. The proposed amendments to V–97 removed the airway segment between the Lexington, KY, VOR/Distance Measuring Equipment (VOR/DME) and the intersection of the Chicago Heights, IL, VORTAC 358° and DuPage, IL, VOR/DME 101° radials (NILES Fix). As amended, the correct V–97 airway description in the NPRM should have reflected the airway would extend between the Dolphin VORTAC and the

intersection of the Pecan, GA, VOR/DME 357° and Vienna, GA, VORTAC 300° radials (PRATZ Fix); between the intersection of the Rome, GA, VORTAC 060° and Volunteer, TN, VORTAC 197° radials (NELLO Fix) and the Lexington VOR/DME; and between the Nodine, MN, VORTAC and the Gopher, MN, VORTAC. In light of the V–97 amendment made by Docket No. FAA–2024–1848 and the editorial correction noted in this paragraph, the V–97 description in the preamble discussion and the V–97 description in the regulatory text of this final rule include both differences.

Incorporation by Reference

VOR Federal Airways are published in paragraph 6010(a) and United States Area Navigation Routes (T-routes) are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and U.S. RNAV Route T–315; and revoking VOR Federal Airway V–19 due to the planned decommissioning of the VOR portion of the Cincinnati, KY, VORTAC. The ATS route actions are described below.

V–5: Prior to this final rule, V–5 extended between the Pecan, GA, VOR/Distance Measuring Equipment (VOR/DME) and the Athens, GA, VOR/DME; and between the New Hope, KY, VOR/DME and the Appleton, OH, VORTAC. The airway segment between the Louisville, KY, VORTAC and the Appleton VORTAC is removed due to the planned decommissioning of the VOR portion of the Cincinnati, OH, VORTAC. Additionally, the airway segment between the New Hope VOR/DME and the Louisville VORTAC is removed due to that airway segment overlapping V–513 that will remain charted and provide navigational guidance between the two NAVAIDs. As amended, the airway is changed to now extend between the Pecan VOR/DME and the Athens VOR/DME.

V–19: Prior to this final rule, V–19 extended between the Cincinnati, KY (reflected as OH in the current description), VORTAC and the Appleton, OH, VORTAC. The airway is revoked in its entirety.

V–47: Prior to this final rule, V–47 extended between the Cunningham, KY, VOR/DME and the Pocket City, IN, VORTAC; and between the Cincinnati, KY, VORTAC and the Flag City, OH, VORTAC. The airway segment between the Cincinnati VORTAC and the Rosewood, OH, VORTAC is removed due to the planned decommissioning of the VOR portion of the Cincinnati VORTAC. Additionally, the airway segment between the Cunningham VOR/DME and the Pocket City VORTAC is removed due to that airway segment overlapping both V–11 and V–305 that will remain charted and provide navigational guidance between the two NAVAIDs. As amended, the airway is changed to now extend between the Rosewood VORTAC and the Flag City VORTAC.

V–97: Prior to this final rule, V–97 extended between the St. Petersburg, FL, VORTAC and the intersection of the Pecan, GA, VOR/DME 357° and Vienna, GA, VORTAC 300° radials (PRATZ Fix); between the intersection of the Rome, GA, VORTAC 060° and Volunteer, TN, VORTAC 197° radials (NELLO Fix) and the intersection of the Chicago Heights, IL, VORTAC 358° and DuPage, IL, VOR/DME 101° radials (NILES Fix); and between the Nodine, MN, VORTAC and the Gopher, MN, VORTAC. The airspace below 2,000 feet mean sea level (MSL) outside the United States is excluded. The airway segment between the Lexington, KY, VOR/DME and the Shelbyville, IN, VOR/DME is removed due to the planned decommissioning of the VOR portion of the Cincinnati VORTAC. Additionally, the airway segment between the Shelbyville VOR/DME and the Chicago Heights VORTAC is also removed due to that airway segment overlapping V–51 that will remain charted and provide navigational guidance between the two NAVAIDs. Lastly, the airway segment between the Chicago Heights VORTAC and the intersection of the Chicago Heights VORTAC 358° and DuPage VOR/DME 101° radials (NILES Fix) is removed due to that airway segment overlapping V–7 that will remain charted and provide navigational guidance between the Chicago Heights VORTAC and the NILES Fix. As amended, the airway is changed to now extend between the St. Petersburg VORTAC and the intersection of the Pecan VOR/DME 357° and Vienna VORTAC 300° radials (PRATZ Fix), between the intersection of the Rome VORTAC 060° and Volunteer VORTAC 197° radials (NELLO Fix) and the Lexington VOR/DME, and between the Nodine VORTAC and the Gopher VORTAC.

V–128: Prior to this final rule, V–128 extended between the Brickyard, IN, VORTAC and the Cincinnati, KY (reflected as OH in the current description), VORTAC; and between the Charleston, WV, VORTAC and the Casanova, VA, VORTAC. The airway segment between the Brickyard VORTAC and the Cincinnati VORTAC is removed. As amended, the airway is changed to now extend between the Charleston VORTAC and the Casanova VORTAC.

V–275: Prior to this final rule, V–275 extended between the Cincinnati, KY, VORTAC and the intersection of the Dayton, OH, VOR/DME 007° and Flag City, OH, VORTAC 313° radials (KLOEE Fix). The airway segment between the Cincinnati VORTAC and the Dayton VOR/DME is removed. As amended, the airway is changed to now extend between the Dayton VOR/DME and the intersection of the Dayton VOR/DME 007° and Flag City VORTAC 313° radials (KLOEE Fix).

V–517: Prior to this final rule, V–517 extended between the Snowbird, TN, VORTAC and the Cincinnati, KY, VORTAC. The airway segment between the Falmouth, KY, VOR/DME and the Cincinnati VORTAC is removed. As amended, the airway is changed to now extend between the Snowbird VORTAC and the Falmouth VOR/DME.

T–315: Prior to this final rule, T–315 extended between the JIMUR, KY, Fix and the Burlington, VT, VORTAC. The route is extended westward from the JIMUR Fix to the Brickyard, IN, VORTAC. As amended, T–315 is changed to now extend between the Brickyard VORTAC and the Burlington VORTAC. The amended T–315 provides mitigation for the V–128 airway segment removed between the Brickyard, IN, VORTAC and the Cincinnati, KY, VORTAC addressed above. The full T–315 route description is listed in the regulatory text of this final rule.

The NAVAID radials listed in the VOR Federal Airway descriptions in the regulatory text of this final rule are unchanged and stated in degrees True north.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are

necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of amending VOR Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and U.S. RNAV Route T–315, and revoking VOR Federal Airway V–19, due to the planned decommissioning of the VOR portion of the Cincinnati, KY, VORTAC NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5–6.5i, which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

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V–5 [Amended]

From Pecan, GA; Vienna, GA; Dublin, GA; to Athens, GA.

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V–19 [Removed]

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V–47 [Amended]

From Rosewood, OH; to Flag City, OH.

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V–97 [Amended]

From St. Petersburg, FL; Seminole, FL; Pecan, GA; to INT Pecan 357° and Vienna, GA, 300° radials. From INT Rome, GA, 060° and Volunteer, TN, 197° radials; Volunteer; London, KY; to Lexington, KY. From Nodine, MN; to Gopher, MN. The airspace below 2,000 feet MSL outside the United States is excluded.

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V–128 [Amended]

From Charleston, WV; to Casanova, VA.

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V–275 [Amended]

From Dayton, OH; to INT Dayton 007° and Flag City, OH, 313° radials.

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V–517 [Amended]

From Snowbird, TN; INT Snowbird 329° and London, KY, 141° radials; London; INT London 004° and Falmouth, KY, 164° radials; to Falmouth.

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Paragraph 6011 United States Area Navigation Routes.

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T–315 Brickyard, IN (VHP) to Burlington, VT (BTV) [Amended]

Brickyard, IN (VHP)	VORTAC	(Lat. 39°48′53.02″ N, long. 086°22′03.00″ W)
DECEE, IN	FIX	(Lat. 39°18′41.36″ N, long. 085°45′56.84″ W)
JADRO, IN	FIX	(Lat. 39°06′24.58″ N, long. 085°01′30.97″ W)
JIMUR, KY	FIX	(Lat. 39°01′17.62″ N, long. 084°41′02.13″ W)
CALIF, KY	FIX	(Lat. 38°56′01.97″ N, long. 084°18′38.27″ W)
ILILE, OH	WP	(Lat. 38°33′14.45″ N, long. 082°36′07.02″ W)
JARLO, WV	WP	(Lat. 38°20′58.85″ N, long. 081°46′11.68″ W)
SHANE, WV	FIX	(Lat. 37°58′31.15″ N, long. 080°48′24.34″ W)
DBRAH, VA	WP	(Lat. 37°20′34.14″ N, long. 080°04′10.75″ W)
SPNKS, VA	WP	(Lat. 37°17′21.31″ N, long. 079°33′17.14″ W)
KONRD, VA	WP	(Lat. 37°20′39.83″ N, long. 079°01′33.27″ W)
CRUMB, VA	FIX	(Lat. 37°28′09.44″ N, long. 078°08′27.69″ W)
Flat Rock, VA (FAK)	VORTAC	(Lat. 37°31′42.63″ N, long. 077°49′41.59″ W)
WAVES, VA	WP	(Lat. 37°35′13.54″ N, long. 077°26′52.03″ W)
TAPPA, VA	FIX	(Lat. 37°58′12.66″ N, long. 076°50′40.62″ W)
COLIN, VA	FIX	(Lat. 38°05′59.23″ N, long. 076°39′50.85″ W)
SHLBK, VA	WP	(Lat. 38°20′16.21″ N, long. 076°26′10.51″ W)
PRNCZ, MD	WP	(Lat. 38°37′38.10″ N, long. 076°05′08.20″ W)
CHOPS, MD	WP	(Lat. 38°45′41.81″ N, long. 075°57′36.18″ W)
COSHA, DE	WP	(Lat. 38°57′57.57″ N, long. 075°30′51.59″ W)
Atlantic City, NJ (ACY)	VORTAC	(Lat. 39°27′21.15″ N, long. 074°34′34.73″ W)
PANZE, NJ	FIX	(Lat. 39°40′33.58″ N, long. 074°10′05.45″ W)
DIXIE, NJ	FIX	(Lat. 40°05′57.72″ N, long. 074°09′52.17″ W)

Kennedy, NY (JFK)	VOR/DME	(Lat. 40°37′58.40″ N, long. 073°46′17.00″ W)
KEEPM, NY	FIX	(Lat. 40°50′14.77″ N, long. 073°32′42.58″ W)
TRANZ, NY	FIX	(Lat. 40°51′31.95″ N, long. 073°22′30.80″ W)
PUGGS, NY	WP	(Lat. 40°56′27.65″ N, long. 073°13′47.73″ W)
EEGOR, CT	WP	(Lat. 41°09′38.94″ N, long. 073°07′27.66″ W)
Hartford, CT (HFD)	VOR/DME	(Lat. 41°38′27.98″ N, long. 072°32′50.70″ W)
DVANY, CT	FIX	(Lat. 41°51′44.56″ N, long. 072°18′11.25″ W)
Gardner, MA (GDM)	VOR/DME	(Lat. 42°32′45.32″ N, long. 072°03′29.48″ W)
KEYNN, NH	WP	(Lat. 42°47′39.99″ N, long. 072°17′30.35″ W)
EBERT, VT	WP	(Lat. 43°32′58.08″ N, long. 072°45′42.43″ W)
Burlington, VT (BTV)	VOR/DME	(Lat. 44°23′49.58″ N, long. 073°10′57.49″ W)

* * * * *

Issued in Washington, DC, on March 11, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–04400 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2268; Airspace Docket No. 24–AAL–95]

RIN 2120–AA66

Revocation of Alaskan Very High Frequency Omnidirectional Range Federal Airway V–447 and Jet Route J–155 and Amendment of Jet Route J–115 in Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Alaskan Very High Frequency Omnidirectional Range (VOR) Federal Airway V–447 and Jet Route J–155 and amends Jet Route J–115 in Alaska. These actions are due to the decommissioning of the Chandalar Lake Nondirectional Radio Beacon (NDB) in Alaska.

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Steven Roff, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2024–2268 in the **Federal Register** (89 FR 80157; October 2, 2024), to revoke Alaskan VOR Federal Airways V–447 and Jet Route J–155 and amend Jet Route J–115 in Alaska. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Incorporation by Reference

Alaskan VOR Federal Airways are published in paragraph 6010 and Jet Routes are published in paragraph 2004 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 to revoke Alaskan (VOR) Federal Airway V–447 and Jet Route J–155 and amend Jet Route J–115 in Alaska. These proposed actions are due to the decommissioning of the Chandalar Lake NDB in Alaska.

V–447: This action revokes V–447 in its entirety.

J–155: This action revokes J–155 in its entirety.

J–115: As amended, Jet Route J–115 extends between the Shemya, AK, NDB via the Mount Moffett, AK, NDB, Dutch Harbor, AK, NDB, Cold Bay, AK, VORTAC, King Salmon, AK, VORTAC, the intersection of the King Salmon 053° and Kenai, AK, VOR/DME 239° radials, Kenai, AK, VOR/DME, Anchorage, AK, VOR/DME, Big Lake, AK, VORTAC; to Fairbanks, AK, VORTAC.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of revoking Federal Airway V–447 and Jet Route J–155, and amending Jet Route J–115 in qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5–6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6010(b) Alaskan VOR Federal Airways.

* * * * *

V–447 [Removed]

* * * * *

Paragraph 2004 Jet Routes.

* * * * *

J–155 [Removed]

* * * * *

J–115 [Amended]

From Shemya, AK, NDB; Mount Moffett, AK, NDB; Dutch Harbor, AK, NDB; Cold Bay, AK; King Salmon, AK; INT King Salmon 053° and Kenai, AK, 239° radials; Kenai, AK; Anchorage, AK; Big Lake, AK; to Fairbanks, AK.

* * * * *

Issued in Washington, DC, on March 6, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–03932 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2710; Airspace Docket No. 24–ASO–36]

RIN 2120–AA66

Establishment of Class E Airspace; Sunbury, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface for Sunbury Fire Department Heliport, Sunbury, NC, by adding airspace for the heliport, which accommodates new area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures serving the heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at this heliport.

DATES: Effective 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a year.

FAA Order JO 7400.11J, Airspace Designations, and Reporting Points, as well as subsequent amendments, can be viewed online at *www.faa.gov/air_traffic/publications/.* For further information, you can contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone: (404) 305–5589.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it establishes Class E airspace extending upward from 700 feet above the surface at Sunbury Fire Department Heliport, Sunbury, NC.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA 2024–2710 in the **Federal Register** (90 FR 4682; January 16, 2025), proposing to establish Class E airspace extending upward from 700 feet above the surface for Sunbury Fire Department Heliport, Sunbury, NC. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received in favor of the proposal. The commenter articulated the improved safety of flight related to the establishment of this airspace. The commenter also expressed that this airspace would improve the accessibility of medevac helicopter operations for this community,

improving their overall access to healthcare. The FAA finds that establishing class E airspace extending upward from 700 feet above the surface will improve both safety and accessibility for medevac helicopter operations at this heliport.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to 14 CFR part 71 establishes Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of the Sunbury Fire Department Heliport, Sunbury, NC. This amendment provides the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for instrument flight rules (IFR) operations at the heliport. Controlled airspace is necessary for the safety and management of IFR operations in the area.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASO NC E5 Sunbury, NC [New]

Sunbury Fire Department Heliport
(Lat. 36°26′16″ N, long. 76°36′29″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Sunbury Fire Department Heliport.

* * * * *

Issued in College Park, Georgia, on March 12, 2025.

Patrick Young,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2025–04266 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2391; Airspace Docket No. 24–ANM–108]

RIN 2120–AA66

Establishment of Class E Airspace; Stanford/Biggerstaff Field, Stanford, MT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface at Stanford/Biggerstaff Field, Stanford, MT. This action supports the airport's transition from visual flight rules (VFR) to instrument flight rules (IFR) operations.

DATES: Effective date 0901 UTC, August 7, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–3460.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority

described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace to support IFR operations at Stanford/Biggerstaff Field, Stanford MT.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2024–2391 in the **Federal Register** (89 FR 99172; December 10, 2024), proposing to establish Class E airspace at Stanford/Biggerstaff Field, Stanford MT. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E5 airspace areas are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface at Stanford/Biggerstaff Field, Stanford, MT.

Class E airspace extending upward from 700 feet above the surface is established within a 6.4-mile radius of the airport to contain departing IFR operations until reaching 1,200 feet above the surface on the Obstacle Departure Procedure (ODP) runway (RWY) 12 and the ODP RWY 30 departures and arriving IFR operations below 1,500 feet above the surface on the Area Navigation (RNAV) Global Positioning System (GPS) RWY 30 approach. Additionally, the Class E airspace should extend to the northwest to contain arriving IFR operations below 1,500 feet above the surface on the RNAV RWY 12 approach.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR part 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ANM MT E5 Stanford, MT [New]

Stanford/Biggerstaff Field, MT
(Lat. 47°08′49″ N, long. 110°13′48″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the airport and within 2.5 miles on either side of the 303° bearing extending from the 6.4-mile radius to 10.1 miles northwest of the airport.

* * * * *

Issued in Des Moines, Washington, on March 11, 2025.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2025–04416 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2352; Airspace Docket No. 24–AEA–4]

RIN 2120–AA66

Establishment of United States Area Navigation Route Q–161 and Amendment of United States Area Navigation Routes Q–97, Q–133, Q–437, Q–439, Q–445, and Q–481; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes United States Area Navigation (RNAV) Route Q–161 and amends RNAV Routes Q–97, Q–133, Q–409, Q–437, Q–439, Q–445, and Q–481 in the eastern United States. This action supports the Northeast Corridor Atlantic Coast Route (NEC ACR) Optimization Project to improve the efficiency of the National Airspace System (NAS).

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed

online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the NAS.

History

The FAA published a NPRM for Docket No. FAA 2024–2352 in the **Federal Register** (89 FR 85455; October 28, 2024), proposing to establish RNAV Route Q–161 and amend RNAV Routes Q–97, Q–133, Q–437, Q–439, Q–445, and Q–481 in the eastern United States. Additionally, The FAA published a supplemental NPRM for Docket No. FAA 2024–2352 in the **Federal Register** (89 FR 103717; December 19, 2024), adding to the proposal the amendment of RNAV Route Q–409 and the correction to the state designation of the OYVAY, DE, waypoint (WP). Interested parties were invited to participate in these rulemaking efforts by submitting written comments on each proposal to the FAA. No comments were received.

Incorporation by Reference

United States Area Navigation routes (Q-routes) are published in paragraph 2006 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing RNAV Route Q–161 and amending RNAV Routes Q–97, Q–133, Q–409, Q–437, Q–439, Q–445, and Q–481 in the eastern United States. This action supports the NEC ACR Optimization Project to improve the efficiency of the NAS. The amendments are described below.

In place of a two-letter state abbreviation for multiple listed route points in route descriptions the ''OA'' means ''Offshore Atlantic''.

Q–97: Prior to this final rule, Q–97 extended between the TOVAR, FL, WP and the Presque Isle, ME (PQI), Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME). The FAA removes the BYSEL, MD, WP from the route description as it is a turn of less than one degree. Additionally, the FAA adds six route points between the ZJAAY, MD, WP and the Calverton, NY (CCC), VOR/DME. The route points added are the PAJET, DE, WP; CAANO, DE, WP; TBONN, OA, WP; ZIZZI, NJ, WP; YAZUU, NJ, WP; and HEADI, NJ, WP. The route modification moves RNAV Route Q–97 to the east to eliminate traffic conflicts between aircraft flying southbound on RNAV Route Q–97 and aircraft flying northbound on RNAV Route Q–439 descending into the New York and Connecticut areas. As amended, the route continues to extend between the TOVAR WP and the Presque Isle VOR/DME.

Q–133: Prior to this final rule, Q–133 extended between the CHIEZ, NC, WP and the PONCT, NY, WP. The FAA removes the airway segments between the CHIEZ WP and the CONFR, MD, WP and replace them with the airway segment between the JAMIE, VA, Fix and the CONFR WP. The route segment between the CHIEZ WP and the KALDA, VA, WP is still needed for navigation, and this action continues to provide this RNAV connectivity to the KALDA WP as new RNAV Route Q–161 also in this action. Additionally, the FAA removes the airway segment between the Kennedy, NY (JFK), VOR/DME and the PONCT WP and replaces it with the airway segments between the Kennedy VOR/DME and the PBERG, NY, WP. These changes improve the connectivity of multiple airports along the east coast of the United States to the Montreal-Trudeau Airport, Canada, where the preferred arrival route is over the PBERG WP. As amended, the route extends between the JAMIE Fix and the PBERG WP.

Q–161: Q–161 is a new RNAV route that extends between the CHIEZ, NC, WP and the KALDA, VA, WP. This new RNAV route overlays a portion of RNAV Route Q–133, also amended in this action, and provides additional efficiency by becoming its own distinct route. The new proposed route provides RNAV connectivity between the CHIEZ WP and the KALDA WP.

Q–409: Prior to this final rule, Q–409 extended between the ENEME, GA, WP and the WHITE, NJ, Fix. The FAA changes the geographic coordinates of the OYVAY, DE, WP from ''lat. 39°02′18.85″ N, long. 075°26′18.04″ W'' to ''lat. 39°01′03.58″ N, long. 075°26′28.07″ W'' in the route description. Additionally, the FAA removes the SESUE, SC, WP and the CRPLR, VA, WP from the route description as they are a turn of less than one degree. Lastly, the FAA updates the geographic coordinates for the VILLS, NJ, WP to match the geographic coordinates listed in the NASR database. The VILLS WP geographic coordinates are changed from ''lat. 39°18′03.87″ N, long. 075°06′37.89″ W'' to ''lat. 39°18′03.87″ N, long. 075°06′37.90″ W''. As amended, the route continues to extend between the ENEME WP and the WHITE Fix.

Q–437: Prior to this final rule, Q–437 extended between the VILLS, NJ, WP and the LLUND, NY, WP. The FAA removes the airway segments between the VILLS WP and the LLUND WP and replaces them with the airway segments between the CRPLR, VA, WP and the PONCT, NY, WP due to high traffic density over the New York City area. These changes move aircraft from being directly over New York City to an area west of Newark, NJ. Additionally, these changes expand RNAV connectivity further to the south to the Norfolk, VA area, and further to the north to the Albany, NY area. As amended, the route extends between the CRPLR WP and the PONCT WP.

Q–439: Prior to this final rule, Q–439 extended between the HOWYU, DE, WP and the Presque Isle, ME (PQI), VOR/DME. The FAA removes the airway segments between the HOWYU WP and the MANTA, NJ, Fix and replaces them with the airway segments between the KALDA, VA, WP and the MANTA Fix due to a need to separate aircraft arriving to the John F. Kennedy International Airport, NY from aircraft arriving to other airports in the New York City area. As amended, the route extends between the KALDA WP and the Presque Isle VOR/DME.

Q–445: Prior to this final rule, Q–445 extended between the SHAUP, OA, WP and the KYSKY, NY, WP. The FAA extends RNAV Route Q–445 to the south between the KALDA, VA, WP and the SHAUP WP. The route extension provides RNAV connectivity from the KALDA WP to the eastern Massachusetts area. As amended, the route extends between the KALDA WP and the KYSKY WP.

Q–481: Prior to this final rule, Q–481 extended between the CONFR, MD, WP and the Deer Park, NY (DPK), VOR/DME. The FAA extends RNAV Route Q–481 to the south between the JAMIE, VA, WP and the CONFR WP; and removes the LEEAH, NJ, Fix from the route and replaces it with the SOSBY, OA, WP and the ECOIL, OA, WP. These route modifications are necessary to ensure adequate separation with other parallel RNAV routes in the Atlantic City, NJ area. As amended, the route extends between the JAMIE WP and the Deer Park VOR/DME.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this airspace action of establishing United States Area Navigation (RNAV) Route Q–161 and amending RNAV Routes Q–97, Q–133, Q–409, Q–437, Q–439, Q–445, and Q–481 qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5–6.5b, which categorically excludes from further environmental impact review ''Actions regarding establishment of jet routes and Federal airways (see 14 CFR 71.15, *Designation of jet routes and VOR Federal airways*) . . .''. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 2006 United States Area Navigation Routes.

* * * * *

Q–97 TOVAR, FL to Presque Isle, ME (PQI) [Amended]

TOVAR, FL	WP	(Lat. 26°33′05.09″ N, long. 080°02′19.75″ W)
MALET, FL	FIX	(Lat. 28°41′29.90″ N, long. 080°52′04.30″ W)
DEBRL, FL	WP	(Lat. 29°17′48.73″ N, long. 081°08′02.88″ W)
KENLL, FL	WP	(Lat. 29°34′28.35″ N, long. 081°07′25.26″ W)
PRMUS, FL	WP	(Lat. 29°49′05.67″ N, long. 081°07′20.74″ W)
WOPNR, OA	WP	(Lat. 30°37′36.03″ N, long. 081°04′26.44″ W)
JEVED, GA	WP	(Lat. 31°15′02.60″ N, long. 081°03′40.14″ W)
CAKET, SC	WP	(Lat. 32°31′08.63″ N, long. 080°16′09.21″ W)
ELLDE, NC	WP	(Lat. 34°24′14.57″ N, long. 078°41′50.60″ W)
PAACK, NC	WP	(Lat. 35°55′40.26″ N, long. 077°15′30.99″ W)
SAWED, VA	WP	(Lat. 37°32′00.73″ N, long. 075°51′29.10″ W)
KALDA, VA	WP	(Lat. 37°50′31.06″ N, long. 075°37′35.34″ W)
ZJAAY, MD	WP	(Lat. 38°03′09.95″ N, long. 075°26′34.27″ W)
PAJET, DE	WP	(Lat. 38°28′04.13″ N, long. 075°03′00.55″ W)
CAANO, DE	WP	(Lat. 38°31′46.37″ N, long. 074°58′52.32″ W)
TBONN, OA	WP	(Lat. 38°45′02.83″ N, long. 074°45′03.77″ W)
ZIZZI, NJ	WP	(Lat. 38°56′26.46″ N, long. 074°31′44.28″ W)
YAZUU, NJ	WP	(Lat. 39°24′44.82″ N, long. 074°01′01.55″ W)
HEADI, NJ	WP	(Lat. 39°57′49.56″ N, long. 073°43′28.85″ W)
Calverton, NY (CCC)	VOR/DME	(Lat. 40°55′46.63″ N, long. 072°47′55.89″ W)
NTMEG, CT	WP	(Lat. 41°16′30.75″ N, long. 072°28′52.08″ W)
VENTE, MA	WP	(Lat. 42°08′24.33″ N, long. 071°53′38.08″ W)
BLENO, NH	WP	(Lat. 42°54′55.00″ N, long. 071°04′43.37″ W)
FRIAR, ME	FIX	(Lat. 44°26′28.93″ N, long. 069°53′04.38″ W)
Presque Isle, ME (PQI)	VOR/DME	(Lat. 46°46′27.07″ N, long. 068°05′40.37″ W)

* * * * *

Q–133 JAMIE, VA to PBERG, NY [Amended]

JAMIE, VA	FIX	(Lat. 37°36′20.58″ N, long. 075°57′48.81″ W)
CONFR, MD	WP	(Lat. 38°16′10.90″ N, long. 075°24′32.98″ W)
MGERK, DE	WP	(Lat. 38°46′16.00″ N, long. 075°18′09.00″ W)
LEEAH, NJ	FIX	(Lat. 39°15′39.27″ N, long. 074°57′11.01″ W)
MYRCA, NJ	WP	(Lat. 40°20′42.97″ N, long. 073°56′58.07″ W)
Kennedy, NY (JFK)	VOR/DME	(Lat. 40°37′58.38″ N, long. 073°46′17.01″ W)
BIZEX, NY	WP	(Lat. 41°17′02.86″ N, long. 073°34′50.20″ W)
Cambridge, NY (CAM)	VOR/DME	(Lat. 42°59′39.44″ N, long. 073°20′38.47″ W)
PBERG, NY	WP	(Lat. 44°42′06.25″ N, long. 073°31′22.18″ W)

* * * * *

Q–161 CHIEZ, NC to KALDA, VA [New]

CHIEZ, NC	WP	(Lat. 34°31′05.93″ N, long. 077°32′25.74″ W)
KOOKI, NC	WP	(Lat. 35°54′21.71″ N, long. 076°41′56.22″ W)
PYSTN, VA	WP	(Lat. 37°05′19.78″ N, long. 075°53′22.19″ W)
KALDA, VA	WP	(Lat. 37°50′31.06″ N, long. 075°37′35.34″ W)

* * * * *

Q–409 ENEME, GA to WHITE, NJ [Amended]

ENEME, GA	WP	(Lat. 30°42′12.09″ N, long. 082°26′09.31″ W)
PUPYY, GA	WP	(Lat. 31°24′35.58″ N, long. 081°49′06.19″ W)
ISUZO, GA	WP	(Lat. 31°57′47.85″ N, long. 081°14′14.79″ W)
KONEY, SC	WP	(Lat. 32°17′01.62″ N, long. 081°01′23.79″ W)
OKNEE, SC	WP	(Lat. 34°15′39.92″ N, long. 079°10′40.68″ W)
MRPIT, NC	WP	(Lat. 34°26′05.09″ N, long. 079°01′45.10″ W)
GUILD, NC	WP	(Lat. 36°18′49.56″ N, long. 077°14′59.96″ W)
TRPOD, MD	WP	(Lat. 38°20′20.33″ N, long. 075°32′01.85″ W)
OYVAY, DE	WP	(Lat. 39°01′03.58″ N, long. 075°26′28.07″ W)
VILLS, NJ	WP	(Lat. 39°18′03.87″ N, long. 075°06′37.90″ W)
Coyle, NJ (CYN)	VORTAC	(Lat. 39°49′02.42″ N, long. 074°25′53.85″ W)
WHITE, NJ	FIX	(Lat. 40°00′24.32″ N, long. 074°15′04.61″ W)

* * * * *

Q–437 CRPLR, VA to PONCT, NY [Amended]

CRPLR, VA	WP	(Lat. 37°36′24.01″ N, long. 076°09′57.67″ W)
TRPOD, MD	WP	(Lat. 38°20′20.33″ N, long. 075°32′01.85″ W)
OYVAY, DE	WP	(Lat. 39°01′03.58″ N, long. 075°26′28.07″ W)
VILLS, NJ	WP	(Lat. 39°18′03.87″ N, long. 075°06′37.90″ W)
SIZZR, NJ	WP	(Lat. 39°33′57.22″ N, long. 074°53′58.83″ W)
METRO, NJ	WP	(Lat. 40°25′21.77″ N, long. 074°40′10.30″ W)
CLAUS, NJ	WP	(Lat. 40°48′50.07″ N, long. 074°10′08.96″ W)
GANDE, NY	WP	(Lat. 41°30′36.66″ N, long. 073°48′52.03″ W)
PONCT, NY	WP	(Lat. 42°44′48.83″ N, long. 073°48′48.07″ W)

* * * * *

Q–439 KALDA, VA to Presque Isle, ME (PQI) [Amended]

KALDA, VA	WP	(Lat. 37°50′31.06″ N, long. 075°37′35.34″ W)
ZJAAY, MD	WP	(Lat. 38°03′09.95″ N, long. 075°26′34.27″ W)
BYSEL, MD	WP	(Lat. 38°15′02.70″ N, long. 075°16′52.87″ W)
RADDS, DE	FIX	(Lat. 38°38′54.80″ N, long. 075°05′18.48″ W)
SHHAY, DE	WP	(Lat. 38°47′04.08″ N, long. 074°55′55.42″ W)
BRIGS, NJ	FIX	(Lat. 39°31′24.72″ N, long. 074°08′19.67″ W)
MANTA, NJ	FIX	(Lat. 39°54′07.01″ N, long. 073°32′31.63″ W)
SARDI, NY	FIX	(Lat. 40°31′26.61″ N, long. 072°47′55.87″ W)
RIFLE, NY	WP	(Lat. 40°41′24.18″ N, long. 072°34′54.89″ W)
FOXWD, CT	WP	(Lat. 41°48′21.66″ N, long. 071°48′07.03″ W)
BOGRT, MA	WP	(Lat. 42°13′56.08″ N, long. 071°31′07.37″ W)
BLENO, NH	WP	(Lat. 42°54′55.00″ N, long. 071°04′43.37″ W)
BEEKN, ME	WP	(Lat. 43°20′51.95″ N, long. 070°44′50.28″ W)
Presque Isle, ME (PQI)	VOR/DME	(Lat. 46°46′27.07″ N, long. 068°05′40.37″ W)

* * * * *

Q–445 KALDA, VA to KYSKY, NY [Amended]

KALDA, VA	WP	(Lat. 37°50′31.06″ N, long. 075°37′35.34″ W)
ZJAAY, MD	WP	(Lat. 38°03′09.95″ N, long. 075°26′34.27″ W)
PAJET, DE	WP	(Lat. 38°28′04.13″ N, long. 075°03′00.55″ W)
CAANO, DE	WP	(Lat. 38°31′46.37″ N, long. 074°58′52.32″ W)

TBONN, OA	WP	(Lat. 38°45′02.83″ N, long. 074°45′03.77″ W)
ZIZZI, NJ	WP	(Lat. 38°56′26.46″ N, long. 074°31′44.28″ W)
YAZUU, NJ	WP	(Lat. 39°24′44.82″ N, long. 074°01′01.55″ W)
SHAUP, OA	WP	(Lat. 39°44′23.91″ N, long. 073°34′33.84″ W)
VALCO, OA	WP	(Lat. 40°05′29.86″ N, long. 073°08′22.91″ W)
KYSKY, NY	WP	(Lat. 40°46′52.75″ N, long. 072°12′21.45″ W)

* * * * *

Q–481 JAMIE, VA to Deer Park, NY (DPK) [Amended]

JAMIE, VA	WP	(Lat. 37°36′20.58″ N, long. 075°57′48.81″ W)
CONFR, MD	WP	(Lat. 38°16′10.90″ N, long. 075°24′32.98″ W)
MGERK, DE	WP	(Lat. 38°46′16.00″ N, long. 075°18′09.00″ W)
SOSBY, OA	WP	(Lat. 39°15′24.74″ N, long. 074°55′30.57″ W)
ECOIL, OA	WP	(Lat. 39°49′58.45″ N, long. 074°14′06.07″ W)
ZIGGI, NJ	FIX	(Lat. 40°03′07.01″ N, long. 074°00′49.34″ W)
Deer Park, NY (DPK)	VOR/DME	(Lat. 40°47′30.30″ N, long. 073°18′13.17″ W)

* * * * *

Issued in Washington, DC, on March 12, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–04393 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2023–2491; Airspace Docket No. 23–ANM–23]

RIN 2120–AA66

Establishment of Class E Airspace; Challis Airport, Challis, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface at Challis Airport, Challis, ID, in support of the airport's transition from visual flight rules (VFR) to instrument flight rules (IFR) operations.

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website, which is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Drasin, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–2248.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace to support IFR operations at Challis Airport, Challis, ID.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA 2023–2491 in the **Federal Register** (89 FR 103719; December 19, 2024), proposing to establish Class E airspace at Challis Airport, Challis, ID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E5 airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024 and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface at Challis Airport, Challis, ID, to support the airport's IFR transition.

The Class E airspace lies within a 6-mile radius of the airport with extensions to 5.9 miles north and .6 miles east of the arc. This configuration is designed to contain departing aircraft until reaching 1,200 feet above the surface to the north and east and arriving aircraft that descend below 1,500 feet above the surface to the south.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic

procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p.389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ANM ID E5 Challis, ID [New]

Challis Airport, ID

(Lat. 44°31′25″ N, long. 114°13′05″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the airport, within 2 miles east and 2.1 miles west of the 023° bearing extending from the airport's 6-mile radius to 11.9 miles north, and within .8 miles north and 2.9 miles south of the 102° bearing extending from the airport's 6-mile radius to 6.6 miles east.

* * * * *

Issued in Des Moines, Washington, on March 10, 2025.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2025–04124 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2031; Airspace Docket No. 24–AEA–6]

RIN 2120–AA66

Amendment of Domestic Very High Frequency Omnidirectional Range (VOR) Federal Airways; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends domestic Very High Frequency Omnidirectional Range (VOR) Federal Airways V–16, V–103, V–375, and V–473 in the eastern United States. The FAA is taking this action due to the planned decommissioning of the Roanoke, VA (ROA), VOR/Distance Measuring Equipment (VOR/DME). This action is in support of the FAA's VOR Minimum Operational Network (MON) Program.

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the route structure to maintain the efficient flow of air traffic within the National Airspace System (NAS).

History

The FAA published a NPRM for Docket No. FAA 2024–2031 in the **Federal Register** (89 FR 64840; August 8, 2024), proposing to amend domestic VOR Federal Airways V–16, V–103, V–375, and V–473 in the eastern United States. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending domestic VOR Federal Airways V–16, V–103, V–375, and V–473 in the eastern United States. This action is due to the decommissioning of the Roanoke, VA (ROA), VOR/DME. The route changes are described below.

V–16: Prior to this final rule, V–16 extended between the Los Angeles, CA

(LAX), VOR/Tactical Air Navigation (VORTAC) and the Holly Springs, MS (HLI), VORTAC; between the Shelbyville, TN (SYI), VOR/DME, and the Richmond, VA (RIC), VORTAC; and between the Smyrna, DE (ENO), VORTAC and the intersection of the Calverton, NY (CCC), VOR/DME 044°, and the Madison, CT (MAD), VOR/DME 142° radials (CREAM Fix). The airspace within restricted areas R–5002A, R–5002C, and R–5002D is excluded during their times of use. The FAA removes the airway segments between the Pulaski, VA (PSK), VORTAC and the Lynchburg, VA (LYH), VOR/DME due to the scheduled decommissioning of the Roanoke, VA (ROA), VOR/DME.

Additionally, the FAA adds to the description that the airspace within restricted area R–5002F is excluded during its time of use as R–5002F is adjacent to VOR Federal Airway V–16 and must be excluded.

As amended, the route extends between the Los Angeles VORTAC and the Holly Springs VORTAC; between the Shelbyville VOR/DME and the Pulaski VORTAC; between the Lynchburg VOR/DME and the Richmond VORTAC; and between the Smyrna VORTAC and the CREAM Fix. The airspace within restricted areas R–5002A, R–5002C, R–5002D, and R–5002F is excluded during their times of use.

V–103: Prior to this final rule, V–103 extended between the Chesterfield, SC (CTF), VOR/DME and the Akron, OH (ACO), VOR/DME. In the description of V–103, the route segments between the Greensboro, NC (GSO), VORTAC and the Roanoke, VA (ROA), VOR/DME is further described as the Greensboro VORTAC 357° and the Roanoke VOR/DME 181° radials. The FAA removes the airway segments between the intersection of the Greensboro, NC (GSO), VORTAC 357° True (T)/360° Magnetic (M) and the South Boston, VA (SBV), VORTAC 247° T/252° M radials (MAYOS Fix) and the Elkins, WV (EKN), VORTAC due to the scheduled decommissioning of the Roanoke VOR/DME. As amended, the route extends between the Chesterfield VOR/DME and the MAYOS Fix; and between the Elkins VORTAC and the Akron VOR/DME.

V–375: Prior to this final rule, V–375 extended between the Roanoke, VA (ROA), VOR/DME and the intersection of the Gordonsville, VA (GVE), VORTAC 034° and Casanova, VA (CSN), VORTAC 142° radials (FLUKY Fix). The FAA removes the airway segments between the Roanoke VOR/DME and the Gordonsville VORTAC due to the scheduled decommissioning of the Roanoke VOR/DME. As amended, the route extends between the Gordonsville VORTAC and the FLUKY Fix.

V–473: Prior to this final rule, V–473 extended between the Roanoke, VA (ROA), VOR/DME and the Gordonsville, VA (GVE), VORTAC. The FAA removes the airway segments between the Roanoke VOR/DME and the Montebello, VA (MOL), VOR/DME due to the scheduled decommissioning of the Roanoke VOR/DME. As amended, the route extends between the Montebello VOR/DME and the Gordonsville VORTAC.

The navigational aid radials listed in the VOR Federal airway description regulatory text of this final rule are stated in degrees True north.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of amending domestic VOR Federal Airways V–16, V–103, V–375, and V–473 in the eastern United States, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5–6.5b, which categorically excludes from further environmental impact review ''Actions regarding establishment of jet routes and Federal airways (see 14 CFR 71.15, *Designation of jet routes and VOR Federal airways*). . .''. As such, this airspace action is not expected to cause any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6010(a). Domestic VOR Federal Airways.

* * * * *

V–16 [Amended]

From Los Angeles, CA; Paradise, CA; Palm Springs, CA; Blythe, CA; Buckeye, AZ; Phoenix, AZ; INT Phoenix 155° and Stanfield, AZ, 105° radials; Tucson, AZ; San Simon, AZ; INT San Simon 119° and Columbus, NM, 277° radials; Columbus; El Paso, TX; Salt Flat, TX; Wink, TX; INT Wink 066° and Big Spring, TX, 260° radials; Big Spring; Abilene, TX; Bowie, TX; Bonham, TX; Paris, TX; Texarkana, AR; Pine Bluff, AR; Marvell, AR; to Holly Springs, MS. From Shelbyville, TN; Hinch Mountain, TN; Volunteer, TN; Holston Mountain, TN; to Pulaski, VA. From Lynchburg, VA; Flat Rock, VA; to Richmond, VA. From Smyrna, DE; Cedar Lake, NJ; Coyle, NJ; INT Coyle 036° and Kennedy, NY, 209° radials; Kennedy; INT Kennedy 040° and Calverton, NY, 261° radials; Calverton; to INT Calverton 044° and Madison, CT, 142° radials. The airspace within Mexico and the airspace below 2,000 feet MSL outside the United States is

excluded. The airspace within Restricted Areas R–5002A, R–5002C, R–5002D, and R–5002F is excluded during their times of use.

* * * * *

V–103 [Amended]

From Chesterfield, SC; Greensboro, NC; to INT of Greensboro 357° and South Boston, VA, 247° radials. From Elkins, WV; Clarksburg, WV; Bellaire, OH; INT Bellaire 327° and Akron, OH, 181° radials; to Akron.

* * * * *

V–375 [Amended]

From Gordonsville, VA; to INT Gordonsville 034° and Casanova, VA, 142° radials.

* * * * *

V–473 [Amended]

From Montebello, VA; to Gordonsville, VA.

* * * * *

Issued in Washington, DC, on March 12, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–04395 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 91

[Docket No. FAA–2011–0246; Amdt. No. 91–321G]

RIN 2120–AM03

Extension of the Prohibition Against Certain Flights in the Territory and Airspace of Libya

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This action extends the prohibition against certain flight operations in the territory and airspace of Libya by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier for an additional three years, from March 20, 2025, to March 20, 2028. The FAA finds this action necessary to address continuing risks to persons and aircraft engaged in such flight operations. The FAA also republishes the approval process and exemption information for this Special Federal Aviation Regulation (SFAR), consistent with other recently published flight prohibition SFARs.

DATES: This final rule is effective March 19, 2025.

FOR FURTHER INFORMATION CONTACT: Bill Petrak, Flight Standards Service, through the Washington Operations Center, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267–3203; email *9-FAA-OverseasFlightProhibitions@faa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

This action extends the expiration date of SFAR No. 112, title 14 Code of Federal Regulations (14 CFR), 91.1603, from March 20, 2025, to March 20, 2028. SFAR No. 112 prohibits certain flight operations in the territory and airspace of Libya by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier. The FAA finds this action necessary to address the continuing unacceptable safety-of-flight risks to U.S. civil aviation in the territory and airspace of Libya due to the unstable political and security environment in Libya. Consistent with other recently published flight prohibition SFARs, this action also republishes the approval process and exemption information for this flight prohibition SFAR.

II. Authority and Good Cause

A. Authority

The FAA is responsible for the safety of flight in the U.S. and for the safety of U.S. civil operators, U.S.-registered civil aircraft, and U.S.-certificated airmen throughout the world. Section 106(f) of title 49, U.S. Code (U.S.C.), subtitle I, establishes the FAA Administrator's authority to issue rules on aviation safety. Subtitle VII of title 49, Aviation Programs, describes in more detail the scope of the agency's authority. Section 40101(d)(1) provides that the Administrator shall consider in the public interest, among other matters, assigning, maintaining, and enhancing safety and security as the highest priorities in air commerce. Section 40105(b)(1)(A) requires the Administrator to exercise this authority consistently with the obligations of the U.S. Government under international agreements.

The FAA is promulgating this rule under the authority described in 49 U.S.C. 44701, General requirements. Under that section, the FAA is charged broadly with promoting safe flight of civil aircraft in air commerce by prescribing, among other things, regulations and minimum standards for practices, methods, and procedures that the Administrator finds necessary for safety in air commerce and national security.

This regulation is within the scope of the FAA's authority because it continues to prohibit the persons described in paragraph (a) of SFAR No. 112, § 91.1603, from conducting flight operations in the territory and airspace of Libya due to the continuing hazards to the safety of U.S. civil flight operations, as described in the preamble to this final rule.

B. Good Cause for Immediate Adoption

Section 553(b)(B) of title 5, U.S. Code, authorizes agencies to dispense with notice and comment procedures for rules when the agency for ''good cause'' finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Also, section 553(d) permits agencies, upon a finding of good cause, to issue rules with an effective date less than 30 days from the date of publication. In this instance, the FAA finds good cause to forgo notice and comment and the delayed effective date because they would be impracticable and contrary to the public interest.

Providing notice and the opportunity for the public to comment here would be impracticable. The FAA's flight prohibitions, and any amendments thereto, need to include appropriate boundaries that reflect the agency's current understanding of the risk environment for U.S. civil aviation. This allows the FAA to protect the safety of U.S. operators' aircraft and the lives of their passengers and crews without over-restricting or under-restricting U.S. operators' routing options. However, the risk environment for U.S. civil aviation in airspace managed by other countries with respect to safety of flight is fluid in circumstances involving fighting, violent extremist and militant activity, or periods of heightened tensions, particularly where weapons capable of targeting or otherwise negatively affecting U.S. civil aviation are or may be present. This fluidity, and the potential for rapid changes in the risks to U.S. civil aviation, significantly limits how far in advance of a new or amended flight prohibition the FAA can usefully assess the risk environment. The delay that would be occasioned by providing an opportunity to comment on this action would significantly increase the risk that the resulting final action would not accurately reflect the current risks to

U.S. civil aviation associated with the situation and thus would not establish boundaries for the flight prohibition commensurate with those risks.

While the FAA sought and responded to public comments, the boundaries of the area in which unacceptable risks to the safety of U.S. civil aviation existed might change due to evolving military or political circumstances; violent extremist and militant group activity; the introduction, removal, or repositioning of more advanced anti-aircraft weapon systems; or other factors. As a result, if the situation improved while the FAA sought and responded to public comments, the rule the FAA finalized might be over-restrictive, unnecessarily limiting U.S. operators' routing options and potentially causing them to incur unnecessary additional fuel and operations-related costs, as well as potentially causing passengers to incur unnecessarily some costs attributed to their time. Conversely, if the situation deteriorated while the FAA sought and responded to public comments, the rule the FAA finalized might be under-restrictive, allowing U.S. civil aviation to continue operating in areas where unacceptable risks to their safety had developed. Such an outcome would endanger the safety of these aircraft, as well as their passengers and crews, exposing them to unacceptable risks of death, injury, and property damage that could occur if a U.S. operator's aircraft were shot down (or otherwise damaged) while operating in the territory and airspace of Libya.

Alternatively, if the FAA made changes to the area in which U.S. civil aviation operations would be prohibited between a notice of proposed rulemaking and a final rule due to changed conditions, the version of the rule the public commented on would no longer reflect the FAA's current assessment of the risk environment for U.S. civil aviation.

In addition, seeking comment would be contrary to the public interest because some of the rational basis for the rulemaking is based upon classified information and controlled unclassified information not authorized for public release. In order to meaningfully provide comment on a proposal, the public would need access to the basis for the agency's decision-making, which the FAA cannot provide. Disclosing classified information or controlled unclassified information not authorized for public release in order to seek meaningful comment on the proposal would harm the public interest. Accordingly, the FAA meaningfully seeking comment on the proposal is contrary to the public interest.

Therefore, providing notice and the opportunity for comment would be impracticable as it would hinder the FAA's ability to maintain appropriate flight prohibitions based on up-to-date risk assessments of the risks to the safety of U.S. civil aviation operations in airspace managed by other countries. It would also be contrary to the public interest, as the FAA cannot protect classified information and controlled unclassified information not authorized for public release and meaningfully seek public comment.

For the same reasons discussed above, the potential safety impacts and the need for prompt action on up-to-date information that is not public would make delaying the effective date impracticable and contrary to the public interest.

Accordingly, the FAA finds good cause exists to forgo notice and comment and any delay in the effective date for this rule.

III. Background

In its March 21, 2023, final rule amending and extending the prohibition against certain flights in the territory and airspace of Libya, the FAA continued to assess the situation in the territory and airspace of Libya as hazardous for U.S. civil aviation.[1] Representatives of the Libyan Army of the Government of National Accord (GNA) and the Libyan National Army (LNA) General Command of the Armed Forces signed a United Nations (UN)-backed ceasefire agreement on October 23, 2020. Among other things, the October 2020 ceasefire provided for: an immediate ceasefire, effective upon signature of the agreement; the departure of all mercenaries and foreign fighters from Libya, including its land, air, and sea territory; and the suspension of all military training agreements and departure of all training crews until a new unified government assumed its functions.

Between the October 2020 ceasefire agreement and the issuance of the 2023 final rule, the FAA assessed combat operations in Libya had significantly decreased, with only intermittent ground clashes between opposing factions. In addition, Russian-backed Vagner Group (also referred to as private military company (PMC) Wagner) had reduced the number of its air defense systems and forces deployed in Libya, with more than 1,300 Vagner personnel having departed the country. However, protests and the intermittent clashes between the various armed factions in Libya continued. Unrest in the capital, in particular, was driven by militia infighting and multiple failed attempts by the Government of National Stability (GNS) to enter Tripoli and contributed to the lack of progress on key milestones set forth in the ceasefire agreement.

When the FAA issued the 2023 final rule, the provisions of the ceasefire agreement relating to departure of all mercenaries and foreign fighters from Libya and the suspension of all military training agreements and departure of all training crews until the Government of National Unity (GNU) assumed its functions had not been fully implemented. At the time the FAA issued the 2023 final rule, airspace deconfliction challenges also remained a safety of flight concern in the territory and airspace of Libya. Various armed groups operating in Libya continued to have access to advanced anti-aircraft weapons systems. The FAA assessed that these groups likely lacked comprehensive airspace awareness sufficient to enable effective aircraft identification and deconfliction of civil and military flights. These circumstances created the potential for localized operational control and use of anti-aircraft systems, rather than a coordinated air defense command and control structure, posing an enduring inadvertent risk to civil aviation operations in the territory and airspace of Libya. The FAA assessed that forces aligned with the GNA and the LNA could quickly increase force protection measures, such as global positioning system (GPS) jamming, air strikes, and the deployment of surface-to-air missile (SAM) systems capable of reaching as high as 49,000 feet. In addition to

[1] *Prohibition Against Certain Flights in the Territory and Airspace of Libya* final rule, 88 FR 16871 (Mar. 21, 2023; effective, Mar. 17, 2023). The FAA notes that, in its March 21, 2023, final rule, the FAA assessed the risk to U.S. civil aviation operations in the portions of the Tripoli FIR (HLLL) outside the territory and airspace of Libya at altitudes below Flight Level (FL) 300 had diminished and the situation had stabilized sufficiently to permit U.S. civil aviation operations to resume in that airspace. Foreign actors had significantly reduced weapons shipments and military activities off the coast of Libya. Previously, these activities included targeting suspected weapons shipments destined for the opposing side or their foreign sponsors. As a result, the risk of either side or their foreign sponsors misidentifying civil aircraft operations in the overwater portion of the Tripoli FIR as carrying weapons shipments destined for the other side or their foreign sponsors and mistakenly targeting them had diminished. The reduction of widespread conflict had also reduced the risk to U.S. civil aviation operations in the small portion of the Tripoli FIR (HLLL) that extends into Chad's territorial airspace. Therefore, due to the diminished risks to the safety of U.S. civil aviation operations and stabilized situation in those portions of the Tripoli FIR (HLLL) outside the territory and airspace of Libya, the FAA amended SFAR No. 112, 14 CFR 91.1603, to remove the prohibition on U.S. civil aviation operations in those areas.

foreign-operated air defense capabilities, both GNA and LNA forces had access to anti-aircraft artillery and advanced man-portable air defense systems (MANPADS), some of which have a maximum altitude of 25,000 feet.

In August 2022, LNA air defense forces claimed to have shot down a U.S. MQ–9 UAS operating in the vicinity of Benghazi during a period of increased tensions and threats of renewed violence between competing militias vying for control of Tripoli. The MQ–9 was operating in support of diplomatic engagements, and the operator had conducted pre-mission coordination with Libyan authorities. While this incident involved a military UAS, it demonstrates the potential for inadequate aircraft identification and deconfliction procedures leading to an inadvertent shoot down. In addition, despite a reduction in foreign presence, tensions in Libya remained elevated, and warring factions in Libya and their affiliated foreign sponsors maintained access to advanced weapons. Within their respective strongholds in various areas of the country, Libya's armed factions had either gained access to, or had foreign sponsors equipped with, tactical aircraft, long-range weaponized UAS, air defense systems, and GPS jammers.

Given the tenuous security environment in Libya at the time, the FAA remained concerned when it issued the 2023 final rule about the continued risk of rapid escalation involving these systems during spikes in tensions, which would pose safety-of-flight risks to U.S. civil aviation outside the capital region. As a result of the continuing unacceptable risks to the safety of U.S. civil aviation operations in Libya's airspace at that time, the FAA maintained the prohibition on U.S. civil aviation operations at all altitudes in the territory and airspace of Libya and extended the expiration date of SFAR No. 112, 14 CFR 91.1603, from March 20, 2023, until March 20, 2025.

IV. Discussion of the Final Rule

The FAA continues to assess the situation in the territory and airspace of Libya as being hazardous for U.S. civil aviation. Since the 2023 final rule, U.S. civil aviation operations in Libya continue to be exposed to safety of flight risks associated with political and security instability and intermittent clashes between rival armed factions, including as recently as December 2024. Despite attempts to resolve the discord and implement the 2020 UN-brokered ceasefire between factions aligned with the Tripoli-based, UN-recognized GNU and the self-declared LNA based in eastern Libya, many terms of the ceasefire agreement have not been fulfilled and tensions remain elevated.

Prior to the 2020 ceasefire, forces supporting both the GNA, which preceded the GNU, and the LNA employed indirect fire to strike airfields and airports across northern Libya. Since the ceasefire, both sides have employed manned and unmanned aircraft, SAMs, and/or MANPADs, as well as electronic warfare capabilities, to target manned and unmanned aircraft and to target or protect airfields/airports and other strategic sites. Armed groups continue to compete for control of critical infrastructure and resources, such as Tripoli's Mitiga International Airport (HLLM), due to the facilities' strategic importance and utility for military operations and facilitating lucrative illicit activity. The political and security environment continues to spur factional clashes, which have been observed as recently as mid-December 2024, when clashes included rocket fire near Zawiya oil refinery in western Libya.

The FAA also remains concerned about the adequacy of deconfliction of anti-aircraft-capable weapons systems in the hands of various third parties with civil air traffic in the territory and airspace of Libya. Various third parties, including state actors such as Russia and Türkiye, continue to maintain a physical presence and operate their own anti-aircraft-capable weapons systems in Libya; however, the command and control of these systems, adequacy of airspace deconfliction, and to what extent Libyan authorities are involved in their employment is unclear. Russian private military contractors with questionable training and likely limited access to a complete airspace picture, operating advanced weapons systems—including anti-aircraft capabilities outside of state control—further contribute to the significant airspace deconfliction challenges and unacceptable level of risk to civil aviation operations in Libya's territorial airspace.

Additionally, in 2024, foreign entities continued to deploy and proliferate additional weapons systems into Libya, further demonstrating the complex security and safety environment for civil aviation in the country. For example, in July 2024, according to media reports, Italian authorities seized two large Chinese military-grade UAS that were being smuggled into Libya in violation of a United Nations arms embargo. Italian authorities reportedly stated that these UAS were over 10 meters (33 feet) long, had a wingspan of approximately 20 meters (66 feet), and weighed more than three tons. They may have been destined for a Libyan faction in eastern Libya.

Violent extremist organizations (VEOs), including the Islamic State of Iraq and ash-Sham (ISIS)-Libya and al-Qa'ida (AQ)-linked groups remain active in Libya, but they likely do not possess the capability to identify, track, and engage an aircraft at overflight cruising altitudes in the territory and airspace of Libya. Although the FAA assesses VEOs lack the resources and access to advanced weapons systems necessary to pose a risk to civil aircraft overflight operations, they likely maintain the intent to target civil aviation as a target of opportunity. Remaining VEOs are likely scattered in southwest Libya and focused on supporting Sahel-based associates but could pose a hazard to U.S. civil aviation operations in other parts of Libya. Nevertheless, VEOs pose a continued, though somewhat diminished, risk to low-altitude flight operations below 25,000 feet.

Therefore, as a result of the continuing, unacceptable risks to the safety of U.S. civil aviation operations in the territory and airspace of Libya, the FAA extends the expiration date of SFAR No. 112, § 91.1603, from March 20, 2025, until March 20, 2028. The ongoing political and security instability in Libya does not appear likely to subside in the reasonably foreseeable future and a three-year extension will provide ample time for observing any potential sustained changes and reassessment.

Further amendments to SFAR No. 112, § 91.1603, might be appropriate if the risk to U.S. civil aviation safety and security changes. In this regard, the FAA will continue to monitor the situation and evaluate the extent to which persons described in paragraph (a) of this rule might be able to operate safely in the territory and airspace of Libya.

The FAA also republishes the details concerning the approval and exemption processes in sections V and VI of this preamble, consistent with other recently published flight prohibition SFARs, to enable interested persons to refer to this final rule for comprehensive information about requesting relief from the FAA from the provisions of SFAR No. 112, § 91.1603.

V. Approval Process Based on a Request From a Department, Agency, or Instrumentality of the United States Government

A. Approval Process Based on an Authorization Request From a Department, Agency, or Instrumentality of the United States Government

In some instances, U.S. Government departments, agencies, or instrumentalities may need to engage U.S. civil aviation to support their activities in the territory and airspace of Libya. If a department, agency, or instrumentality of the U.S. Government determines that it has a critical need to engage any person described in paragraph (a) of SFAR No. 112, § 91.1603, including a U.S. air carrier or commercial operator, to transport civilian or military passengers or cargo or conduct other operations in the territory and airspace of Libya, that department, agency, or instrumentality may request the FAA to approve persons described in paragraph (a) of SFAR No. 112, § 91.1603, to conduct such operations.

The requesting U.S. Government department, agency, or instrumentality must submit the request for approval to the FAA's Associate Administrator for Aviation Safety in a letter signed by an appropriate senior official of the requesting department, agency, or instrumentality.[2] The FAA will not accept or consider requests for approval from anyone other than the requesting U.S. Government department, agency, or instrumentality. In addition, the senior official signing the letter requesting FAA approval must be sufficiently positioned within the requesting department, agency, or instrumentality to demonstrate that the organization's senior leadership supports the request for approval and is committed to taking all necessary steps to minimize aviation safety and security risks to the proposed flights. The senior official must also be in a position to: (1) attest to the accuracy of all representations made to the FAA in the request for approval, and (2) ensure that any support from the requesting U.S. Government department, agency, or instrumentality described in the request for approval is in fact brought to bear and is maintained over time. Unless justified by exigent circumstances, requesting U.S. Government departments, agencies, or instrumentalities must submit requests for approval to the FAA no less than 30 calendar days before the date on which the requesting department, agency, or instrumentality wishes the operator(s) to commence the proposed operation(s).

The requestor must send the request to the Associate Administrator for Aviation Safety, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591. Electronic submissions are acceptable, and the requesting entity may request that the FAA notify it electronically as to whether the FAA grants the request for approval. If a requestor wishes to make an electronic submission to the FAA, the requestor should contact the Washington Operations Center by telephone at (202) 267–3203 or by email at *9-FAA-OverseasFlightProhibitions@faa.gov* for submission instructions. The requestor must not submit its letter requesting FAA approval or related supporting documentation to the Washington Operations Center. Rather, the Washington Operations Center will refer the requestor to an appropriate staff member of the Flight Standards Service for further assistance.

A single letter may request approval from the FAA for multiple persons described in SFAR No. 112, § 91.1603, or for multiple flight operations. To the extent known, the letter must identify the person(s) the requester expects the SFAR to cover on whose behalf the U.S. Government department, agency, or instrumentality seeks FAA approval, and it must describe—

- The proposed operation(s), including the nature of the mission being supported;
- The service the person(s) covered by the SFAR will provide;
- To the extent known, the specific locations in the territory and airspace of Libya where the proposed operation(s) will occur, including, but not limited to, the flight path and altitude of the aircraft while it is operating in the territory and airspace of Libya and the airports, airfields, or landing zones at which the aircraft will take off and land; and
- The method by which the requesting department, agency, or instrumentality will provide, or how the operator will otherwise obtain, current threat information and an explanation of how the operator will integrate this information into all phases of the proposed operations (*i.e.,* the pre-mission planning and briefing, in-flight, and post-flight phases).

The request for approval must also include a list of operators with whom the U.S. Government department, agency, or instrumentality requesting FAA approval has a current contract(s), grant(s), or cooperative agreement(s) (or its prime contractor has a subcontract(s)) for specific flight operations in the territory and airspace of Libya. The requestor may identify additional operators to the FAA at any time after the FAA issues its approval. Neither the operators listed in the original request, nor any operators the requestor subsequently seeks to add to the approval, may commence operations under the approval until the FAA issues them an Operations Specification (OpSpec) or Letter of Authorization (LOA), as appropriate, for operations in the territory and airspace of Libya. The approval conditions discussed below apply to all operators. Requestors should contact the Washington Operations Center by telephone at (202) 267–3203 or by email at *9-FAA-OverseasFlightProhibitions@faa.gov* for instructions on how to submit the names of additional operators the requestor wishes to add to an existing approval to the FAA. The requestor must not submit the names of additional operators it wishes to add to an existing approval to the Washington Operations Center. Rather, the Washington Operations Center will refer the requestor to an appropriate staff member of the Flight Standards Service for further assistance.

If an approval request includes classified information or controlled unclassified information not authorized for public release, requestors may contact the Washington Operations Center for instructions on submitting it to the FAA. The Washington Operations Center's contact information appears in the **FOR FURTHER INFORMATION CONTACT** section of this final rule.

FAA approval of an operation under SFAR No. 112, § 91.1603, does not relieve persons subject to this SFAR of the responsibility to comply with all other applicable FAA rules and regulations. Operators of civil aircraft must comply with the conditions of their certificates, OpSpecs, and LOAs, as applicable. Operators must also comply with all rules and regulations of other U.S. Government departments, agencies, or instrumentalities that may apply to the proposed operation(s), including, but not limited to, regulations issued by the Transportation Security Administration.

B. Approval Conditions

If the FAA approves the request, the FAA's Aviation Safety organization will send an approval letter to the requesting U.S. Government department, agency, or

[2] This approval procedure applies to U.S. Government departments, agencies, or instrumentalities; it does not apply to the public. The FAA describes this procedure in the interest of providing transparency with respect to the FAA's process for interacting with U.S. Government departments, agencies, or instrumentalities that seek to engage U.S. civil aviation to operate in the area in which this SFAR would prohibit their operations in the absence of specific FAA approval.

instrumentality informing it that the FAA's approval is subject to all of the following conditions:

(1) The approval will stipulate those procedures and conditions that limit, to the greatest degree possible, the risk to the operator while still allowing the operator to achieve its operational objectives.

(2) Before any approval takes effect, the operator must submit to the FAA:

(a) A written release of the U.S. Government from all damages, claims, and liabilities, including without limitation legal fees and expenses, relating to any event arising out of or related to the approved operations in the territory and airspace of Libya; and

(b) The operator's written agreement to indemnify the U.S. Government with respect to any and all third-party damages, claims, and liabilities, including without limitation legal fees and expenses, relating to any event arising out of or related to the approved operations in the territory and airspace of Libya.

(3) Other conditions the FAA may specify, including those the FAA might impose in OpSpecs or LOAs, as applicable.

The release and agreement to indemnify do not preclude an operator from raising a claim under an applicable non-premium war risk insurance policy the FAA issues under chapter 443 of title 49, U.S. Code.

If the FAA approves the proposed operation(s), the FAA will issue an OpSpec or LOA, as applicable, to the operator(s) identified in the original request and any operators the requestor subsequently adds to the approval, authorizing them to conduct the approved operation(s). In addition, as stated in paragraph (3) of this section V.B., the FAA notes that it may include additional conditions beyond those contained in the approval letter in any OpSpec or LOA associated with a particular operator operating under this approval, as necessary in the interests of aviation safety. U.S. Government departments, agencies, and instrumentalities requesting FAA approval on behalf of entities with which they have a contract or subcontract, grant, or cooperative agreement should request a copy of the relevant OpSpec or LOA directly from the entity with which they have any of the foregoing types of arrangements, if desired.

VI. Information Regarding Petitions for Exemption

Any operations not conducted under an approval the FAA issues through the approval process set forth previously may only occur in accordance with an exemption from SFAR No. 112, § 91.1603. A petition for exemption must comply with 14 CFR part 11. The FAA will consider whether exceptional circumstances exist beyond those described in the approval process in the previous section. To determine whether a petition for exemption from the prohibition this SFAR establishes fulfills the standards described in 14 CFR 11.81, the FAA consistently finds necessary the following information:

- The proposed operation(s), including the nature of the operation;
- The service the person(s) covered by the SFAR will provide;
- The specific locations in the territory and airspace of Libya where the proposed operation(s) will occur, including, but not limited to, the flight path and altitude of the aircraft while it is operating in the territory and airspace of Libya and the airports, airfields, or landing zones at which the aircraft will take off and land;
- The method by which the operator will obtain current threat information and an explanation of how the operator will integrate this information into all phases of its proposed operations (*i.e.,* the pre-mission planning and briefing, in-flight, and post-flight phases); and
- The plans and procedures the operator will use to minimize the risks identified in this preamble to the proposed operations to support the relief sought and demonstrate that granting such relief would not adversely affect safety or would provide a level of safety at least equal to that provided by this SFAR. The FAA has found comprehensive, organized plans and procedures of this nature to be helpful in facilitating the agency's safety evaluation of petitions for exemption from flight prohibition SFARs.

The FAA includes, as a condition of each such exemption it issues, a release and agreement to indemnify, as described previously.

The FAA recognizes that, with the support of the U.S. Government, the governments of other countries could plan operations that may be affected by SFAR No. 112, § 91.1603. While the FAA will not permit these operations through the approval process, the FAA will consider exemption requests for such operations on an expedited basis and in accordance with the order of preference set forth in paragraph (c) of SFAR No. 112, § 91.1603.

If a petition for exemption includes information that is sensitive for security reasons or proprietary information, requestors may contact the Washington Operations Center for instructions on submitting it to the FAA. The Washington Operations Center's contact information is listed in the **FOR FURTHER INFORMATION CONTACT** section of this final rule. Requestors must not submit their petitions for exemption or related supporting documentation to the Washington Operations Center. Rather, the Washington Operations Center will refer the requestor to the appropriate staff member of the Flight Standards Service or the Office of Rulemaking for further assistance.

VII. Regulatory Notices and Analyses

A. Regulatory Evaluation

This rule has been determined to be a significant regulatory action pursuant to section 3(f)(4) of Executive Order 12866. This rule continues to prohibit U.S. civil flights in the territory and airspace of Libya due to the significant hazards to U.S. civil aviation described in this preamble. While alternative flight routes result in some additional fuel and operations costs to the operators, as well as some costs attributed to passenger time, the benefits of this rule in prohibiting unsafe flights will exceed the minimal flight deviation costs. Therefore, the FAA finds that the incremental costs of extending SFAR No. 112, § 91.1603, will be minimal and are exceeded by the benefits of avoided risks of deaths, injuries, and property damage that could occur if a U.S. operator's aircraft were shot down (or otherwise damaged) while operating in the territory and airspace of Libya.

This rule is exempt from Executive Order 14192 (Unleashing Prosperity Through Deregulation) as it is a regulation issued with respect to a national security or homeland security function of the United States.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), in 5 U.S.C. 603, requires an agency to prepare an initial regulatory flexibility analysis describing impacts on small entities whenever 5 U.S.C. 553 or any other law requires an agency to publish a general notice of proposed rulemaking for any proposed rule. Similarly, 5 U.S.C. 604 requires an agency to prepare a final regulatory flexibility analysis when an agency issues a final rule under 5 U.S.C. 553 after that section or any other law requires publication of a general notice of proposed rulemaking. The FAA concludes good cause exists to forgo notice and comment and to not delay the effective date for this rule. As 5 U.S.C. 553 does not require notice and comment in this situation, 5 U.S.C. 603 and 604 similarly do not require regulatory flexibility analyses.

C. International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39) prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to this Act, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

The FAA has assessed the potential effect of this final rule and determined that its purpose is to protect the safety of U.S. civil aviation from risks to their operations in the territory and airspace of Libya, a location outside the U.S. Therefore, the rule complies with the Trade Agreements Act of 1979.

D. Unfunded Mandates Assessment

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of $100 million or more (in 1995 dollars) in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a ''significant regulatory action.'' The FAA currently uses an inflation-adjusted value of $183 million in lieu of $100 million.

This final rule does not contain such a mandate. Therefore, the requirements of Title II of the Act do not apply.

E. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires the FAA to consider the impact of paperwork and other information collection burdens it imposes on the public. The FAA has determined no new requirement for information collection is associated with this final rule.

F. International Compatibility and Cooperation

In keeping with U.S. obligations under the Convention on International Civil Aviation, the FAA's policy is to conform to International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has determined no ICAO Standards and Recommended Practices correspond to this regulation. The FAA finds this action is fully consistent with the obligations under 49 U.S.C. 40105(b)(1)(A) to ensure the FAA exercises its duties consistently with the obligations of the United States under international agreements.

While the FAA's flight prohibition does not apply to foreign air carriers, DOT codeshare authorizations prohibit foreign air carriers from carrying a U.S. codeshare partner's code on a flight segment that operates in airspace for which the FAA has issued a flight prohibition for U.S. civil aviation. In addition, foreign air carriers and other foreign operators may choose to avoid, or be advised or directed by their civil aviation authorities to avoid, airspace for which the FAA has issued a flight prohibition for U.S. civil aviation.

IX. Executive Order Determinations

A. Executive Order 13132, Federalism

The FAA has analyzed this rule under the principles and criteria of Executive Order 13132. The agency has determined this action will not have a substantial direct effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, this rule will not have federalism implications.

B. Executive Order 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

The FAA analyzed this rule under Executive Order 13211. The agency has determined it is not a ''significant energy action'' under the executive order and will not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

C. Executive Order 13609, Promoting International Regulatory Cooperation

Executive Order 13609 promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. The FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609 and has determined that this action will have no effect on international regulatory cooperation.

X. Additional Information

A. Electronic Access

Except for classified and controlled unclassified material not authorized for public release, all documents the FAA considered in developing this rule, including economic analyses and technical reports, may be accessed from the internet through the docket for this rulemaking.

Those documents may be viewed online at *https://www.regulations.gov* using the docket number listed above. A copy of this rule will be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *https://www.federalregister.gov* and the Government Publishing Office's website at *https://www.govinfo.gov.* A copy may also be found on the FAA's Regulations and Policies website at *https://www.faa.gov/regulations_policies.*

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW, Washington, DC 20591, or by calling (202) 267–9677.

B. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) (Pub. L. 104–121) (set forth as a note to 5 U.S.C. 601) requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local FAA official or the persons listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the internet, visit *http://www.faa.gov/regulations_policies/rulemaking/sbre_act/.*

List of Subjects in 14 CFR Part 91

Air traffic control, Aircraft, Airmen, Airports, Aviation safety, Freight, Libya.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends chapter I of title 14, Code of Federal Regulations, as follows:

PART 91—GENERAL OPERATING AND FLIGHT RULES

■ 1. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40101, 40103, 40105, 40113, 40120, 44101, 44111, 44701, 44704, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, 47534, Pub. L. 114–190, 130 Stat. 615 (49 U.S.C. 44703 note); articles 12 and 29 of the Convention on International Civil Aviation (61 Stat. 1180), (126 Stat. 11).

■ 2. Amend § 91.1603 by revising paragraph (e) to read as follows:

§ 91.1603 Special Federal Aviation Regulation No. 112—Prohibition Against Certain Flights in the Territory and Airspace of Libya.

* * * * *

(e) *Expiration.* This SFAR will remain in effect until March 20, 2028. The FAA may amend, rescind, or extend this SFAR, as necessary.

Issued in Washington, DC, under the authority of 49 U.S.C. 106(f), 40101(d)(1), 40105(b)(1)(A), and 44701(a)(5).

Christopher J. Rocheleau,

Acting Administrator.

[FR Doc. 2025–04846 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230, 232, 239, 270 and 274

[Release No. 33–11368; 34–102680; IC–35500; File No. S7–16–22]

RIN 3235–AM72

Investment Company Names; Extension of Compliance Date

AGENCY: Securities and Exchange Commission.

ACTION: Final rule; extension of compliance date.

SUMMARY: The Securities and Exchange Commission (''Commission'') is extending the compliance dates for the amendments to the rule under the Investment Company Act of 1940 (''Investment Company Act'') that addresses certain broad categories of investment company names that are likely to mislead investors about the investment company's investments and risks, as well as related enhanced prospectus disclosure requirements and Form N–PORT reporting requirements, that were adopted on September 20, 2023. The compliance date is extended from December 11, 2025 to June 11, 2026, for fund groups with net assets of $1 billion or more as of the end of their most recent fiscal year; and from June 11, 2026 to December 11, 2026, for fund groups with less than $1 billion in net assets as of the end of their most recent fiscal year. In addition, the Commission is modifying the operation of the compliance dates to allow for compliance based on the timing of certain annual disclosure and reporting obligations that are tied to the fund's fiscal year-end.

DATES:

Effective date: The effective date for this release is March 20, 2025. The effective date for the amendments to 17 CFR 270.35d–1 (''rule 35d–1'') under the Investment Company Act and related prospectus disclosure and reporting requirements, as adopted September 20, 2023, remains December 11, 2023.

Compliance date: The compliance date for the amendments to rule 35d–1 under the Investment Company Act, and related prospectus disclosure and reporting requirements, adopted September 20, 2023 is extended to June 11, 2026 for fund groups with net assets of $1 billion or more as of the end of their most recent fiscal year and to December 11, 2026 for fund groups with less than $1 billion in net assets as of the end of their most recent fiscal year. As discussed in section I, the operation of the compliance date is modified to allow for compliance based on the timing of certain annual fund disclosure and reporting obligations that are tied to the fund's fiscal year-end.

FOR FURTHER INFORMATION CONTACT: Pamela K. Ellis, Senior Counsel; Bradley Gude, Branch Chief; Amanda Hollander Wagner, Senior Special Counsel; or Brian McLaughlin Johnson, Assistant Director, at (202) 551–6792, Investment Company Regulation Office, Division of Investment Management, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–8549.

SUPPLEMENTARY INFORMATION: The Commission is extending the compliance date for the Commission's 2023 amendments to rule 35d–1 under the Investment Company Act; amendments to Form N–1A [referenced in 17 CFR 239.15A and 17 CFR 274.11A], Form N–2 [referenced in 17 CFR 239.14 and 17 CFR 274.11a–1], Form N–8B–2 [referenced in 17 CFR 274.12], and Form S–6 [referenced in 17 CFR 239.16] under the Investment Company Act and the Securities Act of 1933 (''Securities Act'') [15 U.S.C. 77a *et seq.*]; amendments to Form N–PORT [referenced in 17 CFR 274.150] under the Investment Company Act; amendments to 17 CFR 232.11 (''rule 11 of Regulation S–T'') and 17 CFR 232.405 (''rule 405 of Regulation S–T'') under the Securities Exchange Act of 1934 (''Exchange Act'') [15 U.S.C. 78a *et seq.*].

I. Discussion

On September 20, 2023, the Commission adopted amendments to rule 35d–1 under the Investment Company Act, the ''names rule,'' designed to modernize and enhance the protections that the rule provides.[1] This rule addresses the names of registered investment companies and business development companies (''BDCs'') that the Commission defines as materially misleading or deceptive.[2] The amendments broadened the scope of the requirement for certain funds to adopt a policy to invest at least 80 percent of the value of their assets in accordance with the investment focus that the fund's name suggests.[3] The Commission also adopted amendments that updated other names-related regulatory requirements, including by providing enhanced disclosure and reporting requirements related to terms used in fund names and by establishing additional recordkeeping requirements (collectively, ''names rule amendments'').[4] The Commission

[1] Investment Company Names, Investment Company Act Release No. 35000 (Sept. 20, 2023) [88 FR 70436 (Oct. 11, 2023)], Investment Company Names; Correction, Investment Company Act Release No. 35000A (Oct. 24, 2023) [88 FR 73755 (Oct. 27, 2023)] (the ''Adopting Release'').

[2] This release refers to registered investment companies and BDCs collectively as ''funds.''

[3] As adopted in 2001, the names rule generally requires that if a fund's name suggests a focus in a particular type of investment, or in investments in a particular industry or geographic focus, the fund must adopt a policy to invest at least 80% of the value of its assets in the type of investment, or in investments in the industry, country, or geographic region suggested by its name. In this release, as in the Adopting Release, we refer to a policy that a fund must adopt under the names rule as an ''80% investment policy.'' The amendments to the names rule expanded the rule's 80% investment policy requirement to any fund name with terms suggesting that the fund focuses in investments that have, or investments whose issuers have, particular characteristics.

[4] In addition to the expansion of the scope of the 80% investment policy requirement described in footnote 3 *supra,* the names rule amendments, among other things: require a fund to review its portfolio assets' inclusion in its 80% basket (the fund's investments invested in accordance with its 80% investment policy) at least quarterly and include specific time frames—generally 90 days—for getting back into compliance if a fund departs from its 80% investment requirement; generally require funds to use a derivatives instrument's notional amount to determine the fund's compliance with its 80% investment policy; generally prohibit an unlisted registered closed-end fund or BDC that is required to adopt an 80% investment policy from changing that policy without a shareholder vote (but permit these funds to change their 80% investment policies without such a vote if the fund conducts a tender or repurchase offer in advance of the change, and if certain other conditions are met); require prospectus disclosure defining the terms used in a fund's name, including the criteria the fund uses to select the investments that the term describes; effectively require that any terms used in the fund's names that suggest either an investment focus, or

established tiered compliance dates for the names rule amendments: December 11, 2025 for fund groups with net assets of $1 billion or more as of the end of their most recent fiscal year; and June 11, 2026 for fund groups with less than $1 billion in net assets as of the end of their most recent fiscal year (collectively, the ''initial compliance dates'').

The Commission has become aware of certain challenges that funds and their service providers are experiencing associated with the timing of the initial compliance dates. As identified by two industry letters, these challenges include numerous and complex steps to implement the names rule amendments in an orderly manner by the initial compliance dates.[5] The industry letters also identified additional costs associated with coming into compliance in the context of an ''off-cycle'' disclosure amendment. In this regard, the industry groups have requested that the Commission (i) extend the compliance dates by a minimum of 18 months and (ii) base the compliance date on a fund's fiscal year-end.[6]

Six-Month Compliance Date Extension

We understand that determining the operational steps necessary to comply with the names rule amendments often requires coordination among multiple departments and parties, including fund service providers for those funds that determine to outsource certain names rule compliance activities. For instance, the development of a names rule compliance plan requires coordination among a fund's legal, compliance, and operations departments to review and make key compliance decisions, such as whether to change any fund names and strategies. We understand that, in determining whether name changes or strategy changes are necessary, certain funds had threshold questions associated with the names rule amendments.[7] The industry letters also identified examples of coordination and associated challenges. For instance, an industry letter indicated that the names rule amendments involve collaboration among multiple departments, including compliance, legal, portfolio management, reporting, distribution, and technology, along with third-party vendors.[8] These departments will execute numerous implementation steps—which often must be completed sequentially as well as concurrently with other workstreams—that include: drafting and adopting appropriate policies and procedures; building compliance, recordkeeping, and reporting processes; updating various disclosures; designing, building, and testing technological systems for trade management, compliance, and recordkeeping functions; and seeking board (along with, in some cases, shareholder) approvals.[9]

While the initial compliance dates were designed in recognition of these implementation steps, we understand that funds' and service providers' actual experience in executing these steps has reflected developments that support the need for additional time to comply.[10] We understand, based on staff discussions with the industry, that many funds' processes for structuring the compliance apparatus of a fund's 80% investment policy, which require development, analysis, and back-testing, have been delayed because some technological systems and service providers' analysis to support these functions are still in development. This delay creates challenges for funds because they are unable to receive pricing and service quotations from those service providers in a timely manner (thus delaying the fund's determination about whether to outsource a function, and their ability to test compliance functions in anticipation of the compliance date). Furthermore, some legacy systems are not currently able to support certain aspects of the names rule amendments, such as enhanced recordkeeping.[11] We understand, based on staff discussions with the industry, that updated versions of these systems are under development, with some service providers anticipating new versions in summer 2025. We further understand, based on an industry letter and staff discussions with the industry, that the challenges of these implementation tasks (and related systems build-outs) are compounded for funds with subadvisers and derivatives holdings, and that implementation for registered closed-end funds, BDCs and unit investment trusts involves additional unique considerations.[12]

After considering the request for a compliance date extension, we are extending by six months the initial compliance dates for all funds to comply with the names rule amendments so that the compliance date will be June 11, 2026 for larger entities and December 11, 2026 for smaller entities.[13] While the industry

that the fund's distributions are tax-exempt, must be consistent with those terms' plain English meaning or established industry use; require additional Form N–PORT reporting; require recordkeeping provisions related to a fund's compliance with the names rule's requirements; and update the rule's requirements to provide shareholders notice prior to any change in the fund's 80% investment policy.

[5] Letter to Gary Gensler, Chair, Securities and Exchange Commission, submitted by the Investment Company Institute (Dec. 23, 2024) (''ICI Comment Letter''). This letter is available at *https://www.ici.org/system/files/2025-01/24-cl-extension-compliance-dates.pdf. See also* Letter to Mark T. Uyeda, Acting Chairman (Jan. 29, 2025) (''IAA Comment Letter'') available at *https://www.investmentadviser.org/resources/iaas-regulatory-priorities-for-the-new-administration/* (each letter, an ''industry letter''; the letters together, ''industry letters''; the ICI and IAA together, ''industry groups'').

[6] *See* IAA Comment Letter; ICI Comment Letter.

[7] *See* IAA Comment Letter; ICI Comment Letter. We note that some of these questions have been discussed in the staff's 2025 Names Rule FAQs. *See* 2025 Names Rule FAQs (Jan. 8, 2025), *available at https://www.sec.gov/rules-regulations/staff-guidance/division-investment-management-frequently-asked-questions/2025-names-rule-faqs* (providing staff statements on various implementation and other issues regarding the names rule amendments). The 2025 Names Rule FAQs represent the views of the staff of the Division of Investment Management. They are not rules, regulations, or statements of the Commission, and the Commission has neither approved or disapproved these FAQs or the answers to these FAQs. The FAQs, like all staff statements, have no legal force or effect: they do not alter or amend applicable law, and they create no new additional obligations for any person.

[8] *See* ICI Comment Letter.

[9] *Id.*

[10] *See* Adopting Release at section II.H.

[11] For example, the names rule amendments, in part, require that a fund maintain a written record of its basis for including an investment in the fund's 80% basket. *See* rule 35d–1(b)(3). We understand, based on staff discussions with industry, that this assessment could include up to 50 data points and that current common software recordkeeping solutions are ill-equipped to capture such a high number of data points.

[12] *See* ICI Comment Letter. For example, a fund may have multiple subadvisers, each of which may initially define differently the same term used in the fund's name. Developing a unified approach across subadvisers for this and similar issues can be time-consuming for funds. Further, we understand that both funds and their service providers are experiencing challenges with the multiple necessary systems modifications—including those for funds that hold derivatives—that must be made at the same time to develop names rule compliance solutions. While these compliance activities were contemplated under the initial compliance dates, in practice funds are experiencing that they are taking longer than the time available to meet the initial compliance dates, including to modify legacy systems to address these compliance issues.

[13] For purposes of this extended compliance period (as for the initial compliance dates provided in the Adopting Release), larger entities are funds that, together with other investment companies in the same ''group of related investment companies'' (as such term is defined in 17 CFR 270.0–10) have net assets of $1 billion or more as of the end of the most recent fiscal year, and smaller entities are funds that together with other investment companies in the same ''group of related investment companies'' have net assets of less than $1 billion as of the end of the most recent fiscal year. This standard is consistent with prior Commission approaches for tiered compliance dates based on asset size for rules affecting registered investment companies. *See* Adopting Release at n.434. In the Adopting Release, the Commission estimated that, as of December 2022, 77% of registered investment companies would be considered to be larger entities and that as of March 2023, 48% of BDCs would be considered to be larger entities. Adopting Release at section II.H.

letters recommended a longer (18-month) extension, in our view, the six-month extension that we are adopting—combined with ability to make disclosure changes ''on-cycle,'' as discussed below—will appropriately balance the benefits to investors of the amended names rule framework with the needs of a fund for additional time to implement the rule and form amendments properly, as well as to continue to develop and finalize compliance systems and test the fund's compliance plan, which in turn will enhance the benefit to investors. Moreover, because we are also modifying the operation of the compliance dates based on funds' fiscal year-ends, as discussed below, most funds effectively will have additional time to comply with the names rule amendments (with some funds having close to an additional year to comply, depending on the timing of their fiscal year-ends).

Tying Compliance Timing to Funds' Fiscal Year-Ends

Continuously-offered funds generally update their prospectuses on an annual cadence to comply with the requirement in the Securities Act that information in the fund's registration statement is no more than sixteen months old.[14] While funds that do not make continuous offerings are not subject to this same annual prospectus updating cadence, there are certain disclosure and reporting obligations for these funds that require similar annual action.[15]

For open-end funds, if the fund's annual prospectus amendment makes material changes to the fund's registration statement, the amendment must be filed with the Commission at least 60 days before the time that the amendment is effective.[16] Consequently, most open-end funds filing an annual update with material changes will file at least 60 days before the four months following the fund's fiscal year-end. Post-effective amendments timed on this annual cadence are described as ''on-cycle'' amendments. We understand that there can be significant costs associated with ''off-cycle'' post-effective amendments, which may be borne by investors.[17]

To avoid the additional costs associated with coming into compliance with the names rule amendments in the context of an ''off-cycle'' amendment, two industry groups have requested that the compliance date for the names rule amendments be based on the timing of a fund's ''on-cycle'' amendments.[18] To comply with the names rules amendments, funds must modify their prospectus disclosure and may have to change their names and/or investment policies and disclosure. In order for a fund's prospectus disclosure not to be misleading, the disclosure made in the fund's prospectus must reflect the fund's actual operations. Accordingly, if a fund's ''on-cycle'' amendment was due before the applicable initial compliance date, the fund would have to either comply early, to include accurate disclosure about the fund's 80% investment policy in that annual amendment, or take the full compliance period permitted but incur the costs of an off-cycle amendment on or before the compliance date. For example, a fund with a fiscal year-end of December 31 that is filing a post-effective amendment under rule 485(a) would have to file an ''on-cycle'' amendment to meet its annual disclosure obligations by March 2, 2025 to have an effective date 60 days later, on May 1, 2025. Effectively, under the initial compliance dates, many funds would have to choose between complying earlier than the initial compliance dates permitted, or taking the full compliance period but incurring the expense of an ''off-cycle'' amendment.[19]

After considering the industry groups' requests, the Commission has determined to modify the operation of the compliance dates to allow for compliance based on the timing of certain annual disclosure and reporting obligations that are tied to the fund's fiscal year-end. Therefore, a new fund will be required to be in compliance with the names rule amendments at the time of the effective date of its initial registration statement that the fund files on or following the new compliance dates, that is, June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities).[20] An existing open-end fund (or other continuously-offered fund) will be required to be in compliance with the names rule amendments at the time of the effective date of its first ''on-cycle'' annual prospectus update that the fund files on or following June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities).[21] An existing registered closed-end fund that relies on rule 8b–16(b) will need to be in compliance at the time of the transmittal of its first annual report to shareholders on or following June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities). An existing BDC that is not engaged in a continuous offering will need to be in compliance at the time of the filing of its first annual report on Form 10–K on or following June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities).

Tying a continuously-offered fund's names rule compliance to the fund's annual prospectus update will allow the fund to take the full compliance period to comply with the names rule amendments without having to make an off-cycle amendment. Funds that are not continuously offered likewise will be able to take the full compliance period and maintain their normal disclosure and reporting practices. Investors will benefit by not bearing the costs associated with off-cycle amendments.[22]

[14] *See* section 10(a)(3) of the Securities Act (providing that when a prospectus is used more than nine months after the effective date of the registration statement, the information contained therein shall be as of a date that is no more than sixteen months prior to such use); *see also* 17 CFR 270.8b–16 (rule 8b–16 under the Investment Company Act, requiring all registered management investment companies to amend their registration statements not more than 120 days after the close of each fiscal year-end).

[15] *See* section 30(e) under the Investment Company Act (requiring registered investment companies to transmit semiannual reports to stockholders); sections 13(a) and 15(d) of the Exchange Act (requiring, in part, issuers registered pursuant to section 12 of the Exchange Act to file periodic reports with the Commission); *see also* 17 CFR 210.3–12 (rule 3–12 of Regulation S–X). A BDC must file annual reports on Form 10–K (referenced in 17 CFR 429.310). Registered investment companies (including those open-end funds and closed-end funds that are registered solely under the Investment Company Act) must annually update their registration statements not more than 120 days after the close of their fiscal year-end. *See* rule 8b–16(a) under the Investment Company Act. Registered closed-end funds are exempt from this requirement under rule 8b–16(a), provided that they disclose certain information in their annual reports to shareholders. *See* rule 8b–16(b) under the Investment Company Act.

[16] *See* 17 CFR 230.485(a)(1).

[17] *See* ICI Comment Letter.

[18] *See* IAA Comment Letter; ICI Comment Letter.

[19] Funds with certain fiscal year-ends may be more significantly affected by this dynamic than others. *See* ICI Comment Letter.

[20] A new fund that registers with the Commission solely under the Investment Company Act will be required to be in compliance with the names rule amendments on the date the fund files its registration statement on or following the new compliance dates, that is, June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities). A privately offered BDC will be required to be in compliance with the names rule amendments on the effective date of the BDC's filing on Form 10, or the filing of its election to be regulated as a BDC on Form N–54A, on or following the new compliance dates, that is, June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities).

[21] A fund that registers with the Commission solely under the Investment Company Act and does not rely on rule 8b–16(b) under the Investment Company Act will be required to be in compliance with the names rule amendments on the date the fund files its annual update required by rule 8b–16(a) on or following the new compliance dates, that is, June 11, 2026 (for larger entities) or December 11, 2026 (for smaller entities).

[22] The Commission has adopted compliance periods in other circumstances based on the timing of certain disclosure and reporting obligations. *See, e.g.,* Tailored Shareholder Reports for Mutual Funds

II. Economic Analysis

The Commission is mindful of the economic effects, including the costs and benefits, of the compliance date extension. Section 2(c) of the Investment Company Act provides that when the Commission is engaging in rulemaking under the Act and is required to consider or determine whether an action is consistent with the public interest, the Commission shall also consider whether the action will promote efficiency, competition, and capital formation, in addition to the protection of investors.

The baseline against which the costs, benefits, and the effects on efficiency, competition, and capital formation of the final rule are measured consists of the current state of the fund market, current practice as it relates to fund names and investment policies, and the current regulatory framework, including recently adopted rules.

The amendments to the names rule adopted in 2023 affect all registered investment companies, BDCs, and current and prospective fund investors.[23] As discussed more fully above, funds and their service providers have faced implementation challenges associated with the timing of the initial compliance dates, and these challenges entail particular complexities for funds with subadvisers or derivative holdings. An industry letter also stated that funds may have to choose between coming into compliance with the rule before the initial compliance date or facing additional costs to file an ''off-cycle'' amendment.[24] Based on these comments and staff discussion with the industry, the Commission has determined to extend the compliance dates by six months and modify them based on the type of fund and the extant timing of their periodic filings, as discussed above.

The extension of the compliance date will reduce the cost of the names rule amendments in two ways. First, by extending the compliance period of the rule, some funds may be able to avoid additional costs when coming into compliance with the requirements of the names rule amendments.[25] For example, because many of the steps funds take in implementing policies consistent with the requirements of the names rule amendments may be done sequentially and involve coordination with service providers, some funds may decide to speed up their implementation process by temporarily hiring additional compliance staff or utilizing external resources in ways that could be less efficient than using extant internal resources over a longer time horizon. Extending the compliance date will make it less likely that funds would decide to use more costly implementation methods to meet the deadline. Second, as discussed above, absent the modification of the compliance date related to the fiscal year of the fund, some funds might have faced additional costs to come into compliance before the initial compliance date or to file an ''off-cycle'' amendment. The modifications to the compliance date in this rule eliminate those costs. These cost reductions will not apply or be mitigated for entities that have already completed or nearly completed the steps required to come into compliance with the names rule amendments.

The extension of the compliance date will also postpone the benefits of the names rule amendments. Specifically, the names rule amendments should increase investor confidence that funds' portfolios are aligned with the investment focus suggested by their names and align fund investments with the preferences of investors. These benefits may not accrue for an additional six months or more depending on a fund's fiscal year end. Further, benefits described in the Adopting Release that will exist because of investor confidence arising from the amended rule may not fully realize until all funds must comply with the requirements of the names rule amendments. To the extent that funds do not disclose to investors the applicability of the names rule amendments on such funds prior to their annual prospectus update, investors may have uncertainty about whether a particular fund is required to comply with the names rule amendments until such annual prospectus updates are made.

The extension of the compliance dates will also delay the effects on market efficiency, competition, and capital formation described in the Adopting Release since these effects are predicated on funds coming into compliance with the names rule amendments. These effects will likely gradually take effect as funds are required to comply, with the largest changes in the effects happening when all funds are required to comply. Additionally, funds with later compliance dates may temporarily experience a small comparative advantage compared to funds with earlier compliance dates because for funds with later compliance dates the cost of compliance may be lower.[26] This is because they likely could reduce and/or defer at least some of the direct compliance costs and the additional requirements placed on the relationship between fund names and their portfolios would apply later as well. This comparative advantage could create adverse effects on competition; it also could reduce market efficiency if investors choose funds that are less tailored to their investment priorities because the funds have lower costs. Any such effects would likely be small, however, given that the cost disparity between early-complying funds and late-complying funds is small and that it is unlikely that early-complying and late-complying funds will have large, persistent fund flow differentials during the period in which some but not all funds must fully comply with the names rule amendments.

Lastly, the Commission considered reasonable alternatives to the new

and Exchange-Traded Funds; Fee Information in Investment Company Advertisements, Securities Act Release No. 11125 (Oct. 26, 2022) [87 FR 72758 (Nov. 25, 2022)]; Management's Discussion and Analysis, Selected Financial Data, and Supplementary Financial Information, Securities Act Release No. 10890 (Nov. 19, 2020) [86 FR 2080 (Jan. 11, 2011)]; Enhanced Disclosure and New Prospectus Delivery Option for Registered Open-End Management Investment Companies, Investment Company Act Release No. 28584 (Jan. 13, 2009) [74 FR 4546 (Jan. 26, 2009)].

[23] *See* Adopting Release at section IV.C.

[24] *See* ICI Comment Letter.

[25] Extending the names rule amendments' compliance dates will likely mitigate the costs identified in two subsequent Commission adopting releases, which acknowledged potential costs resulting from overlapping compliance periods with the names rule: Regulation S–P: Privacy of Consumer Financial Information and Safeguarding Customer Information, Securities and Exchange Act Release No. 100155 (May 16, 2024) [89 FR 47688 (June 3, 2024)] (''Customer Notification Adopting Release'') at section IV.D, and Form N–PORT and Form N–CEN Reporting; Guidance on Open-End Fund Liquidity Risk, Investment Company Act Release No. 35308 (Aug. 28, 2024) [89 FR 73764 (Sep. 11, 2024)] (''Form N–PORT and Form N–CEN Reporting Adopting Release'') at section IV.C.5. The Customer Notification Adopting Release's compliance date for larger entities is Dec. 3, 2025, and for smaller entities, June 3, 2026. The Form N–PORT and Form N–CEN Reporting Adopting Release's compliance date for larger entities is November 17, 2025, and for smaller entities, May 18, 2026. As explained in those two releases, where overlap in compliance periods exists, the Commission acknowledges that there may be additional costs on those entities subject to one or more other rules, but spreading the compliance dates out over an extended period limits the number of implementation activities occurring simultaneously. By contrast, the names rule amendments' compliance dates extension will not affect the potential costs from overlapping compliance periods acknowledged in the Adopting Release because the compliance periods for the other rules identified in the Adopting Release have concluded. *See* Adopting Release at section IV.D.2.

[26] As described above, the more time a fund has to come into compliance with the names rule amendments, the more possibilities the fund has to avoid certain costs.

compliance date, including an 18-month extension as requested in the industry letters. While a longer compliance date extension may further mitigate compliance costs for funds for the reasons discussed above, it would also further delay the accrual of the benefits associated with the names rule amendments.[27]

III. Procedural and Other Matters

The Administrative Procedure Act (''APA'') generally requires an agency to publish notice of a rulemaking in the **Federal Register** and provide an opportunity for public comment. This requirement does not apply, however, if the agency ''for good cause finds . . . that notice and public procedure are impracticable, unnecessary, or contrary to the public interest.'' [28]

For the reasons discussed above, the Commission, for good cause, finds that notice and solicitation of public comment to extend the compliance dates for the names rule amendments are impracticable, unnecessary, or contrary to the public interest.[29] This notice does not impose any new substantive regulatory requirements on any person and merely reflects the extension of the compliance dates for the names rule amendments. For the reasons discussed above, an extension of the compliance dates to June 11, 2026 for larger entities and to December 11, 2026 for smaller entities, as well modifying the operation of the compliance dates to allow for compliance based on the timing of certain annual disclosure and reporting obligations that are tied to the fund's fiscal year-end, is needed to alleviate various challenges associated with the initial compliance dates and will facilitate an orderly implementation of the names rule amendments. Funds must begin preparing to come into compliance well before the compliance date in order to be fully in compliance on that date.[30] Many funds, particularly those with certain fiscal year-ends, must make compliance-related decisions imminently if they want to avoid having to file ''off-cycle'' amendments to their disclosure.[31] Given the time constraints associated with upcoming initial compliance dates, a notice and comment period could not reasonably be completed prior to funds incurring unnecessary burdens and other challenges concerning with meeting the initial compliance dates.

For similar reasons, although the APA generally requires publication of a rule at least 30 days before its effective date, the requirements of 5 U.S.C. 808(2) are satisfied (notwithstanding the requirement of 5 U.S.C. 801) [32] and the Commission finds there is good cause for the names rule amendments to take effect on March 20, 2025.[33] The Commission recognizes the importance of providing funds sufficient notice of the extended compliance dates, and providing immediate effectiveness upon publication of this release will allow industry participants to adjust their implementation plans accordingly.

Pursuant to the Congressional Review Act, the Office of Information and Regulatory Affairs has designated these amendments as not a ''major rule,'' as defined by 5 U.S.C. 804(2).

By the Commission.

Dated: March 14, 2025.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04705 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

[27] *See* Adopting Release at section IV.D.1.

[28] 5 U.S.C. 553(b)(B).

[29] *See* section 553(b)(B) of the Administrative Procedure Act (5 U.S.C. 553(b)(B)) (stating that an agency may dispense with prior notice and comment when it finds, for good cause, that notice and comment are ''impracticable, unnecessary, or contrary to the public interest'').

[30] The Commission has received post-effective amendments filed by several funds in anticipation of the initial compliance dates.

[31] Nearly 70% of funds have fiscal year-ends between August and December. *See* Form N–PORT and Form N–CEN Reporting; Guidance on Open-End Fund Liquidity Risk Management Programs, Investment Company Act Release No. 35308 (Aug. 28, 2024) [89 FR 73764 (Sept. 11, 2024)], at section IV.B.2.

[32] *See* 5 U.S.C. 808(2) (if a Federal agency finds that notice and public comment are impracticable, unnecessary or contrary to the public interest, a rule shall take effect at such time as the Federal agency promulgating the rule determines). This rule also does not require analysis under the Regulatory Flexibility Act. *See* 5 U.S.C. 604(a) (requiring a final regulatory flexibility analysis only for rules required by the APA or other law to undergo notice and comment). Finally, this rule does not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995 (''PRA''). 44 U.S.C. 3501 *et seq.* Accordingly, the PRA is not applicable.

[33] *See* 5 U.S.C. 553(d)(3).

DEPARTMENT OF JUSTICE

Office of the Attorney General

27 CFR Part 478

28 CFR Part 0

[Docket No. OLP–179; AG Order No. 6212–2025]

RIN 1105–AB78

Withdrawing the Attorney General's Delegation of Authority

AGENCY: Office of the Attorney General, Department of Justice.

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule (''IFR'') amends the Department of Justice (''Department'') regulations relating to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (''ATF'') by withdrawing effectively moribund regulations regarding how ATF will adjudicate applications for relief from the disabilities imposed by certain firearms laws and withdrawing a related delegation.

DATES:

Effective date: This interim final rule is effective March 20, 2025.

Comments: Written comments must be submitted on or before June 18, 2025. Comments postmarked on or before that date will be considered timely. The electronic Federal Docket Management System will accept comments until midnight Eastern Time on that date.

ADDRESSES: If you wish to provide comments regarding this rulemaking, you must submit comments, identified by the agency name and referencing RIN 1105–AB78 or Docket No. OLP–179, by one of the two methods below.

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the website instructions for submitting comments.
- *Mail:* Paper comments that duplicate an electronic submission are unnecessary. If you wish to submit a paper comment in lieu of electronic submission, please direct the mail to: Robert Hinchman, Senior Counsel, Office of Legal Policy, U.S. Department of Justice, Room 4252 RFK Building, 950 Pennsylvania Avenue NW, Washington, DC 20530. To ensure proper handling, please reference the agency name and RIN 1105–AB78 or Docket No. OLP–179 on your correspondence. Mailed items must be postmarked on or before the submission deadline.

Comments submitted in a manner other than the ones listed above,

including emails or letters sent to the Department officials, will not be considered comments on the IFR and may not receive a response from the Department. Please note that the Department cannot accept any comments that are hand-delivered or couriered. In addition, the Department cannot accept comments contained on any form of digital media storage devices, such as CDs/DVDs and USB drives.

As required by 5 U.S.C. 553(b)(4), a summary of this rule may be found in the docket for this rulemaking at *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Robert Hinchman, Senior Counsel, Office of Legal Policy, U.S. Department of Justice, telephone (202) 514–8059 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this rule. The Department also invites comments that relate to the economic or federalism effects that might result from this rule. Comments that will provide the most assistance to the Department in developing these procedures will reference a specific portion of the rule, explain the reason for any recommended change, and include data, information, or authority that supports such recommended change. Comments must be submitted in English or accompanied by an English translation.

Each submitted comment should include the agency name and reference RIN 1105–AB78 or Docket No. OLP–179 for this rulemaking. Please note that all properly received comments are considered part of the public record and generally may be made available for public inspection at *https://www.regulations.gov.* Such information includes personally identifying information (such as name, address, etc.) voluntarily submitted by the commenter. The Department may, in its discretion, withhold from public viewing information provided in comments that it determines may impact the privacy of an individual or is offensive. But all submissions may be posted, without change, to the Federal eRulemaking Portal at *https://www.regulations.gov.* Therefore, you may wish to limit the amount of personal information you include in your submission.

For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

If you want to submit personally identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase ''PERSONALLY IDENTIFYING INFORMATION'' in the first paragraph of your comment and identify what information you want redacted. The redacted personally identifying information will be placed in the agency's public docket file but not posted online.

If you want to submit confidential business information as part of your comment, but do not want it to be posted online, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You also must prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on *www.regulations.gov.* The redacted confidential business information will not be placed in the public docket file.

II. Background

A. Statutory Framework

Federal law prohibits several categories of persons from ''possess[ing] in or affecting commerce, any firearm or ammunition.'' 18 U.S.C. 922(g). By statute, it also provides that any ''person who is prohibited from possessing, shipping, transporting, or receiving firearms or ammunition may make application to the Attorney General for relief from th[at] disabilit[y]'' and that ''the Attorney General may grant such relief if it is established to his satisfaction that the circumstances regarding the disability, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest.'' 18 U.S.C. 925(c).

The first version of these provisions was enacted in 1968, *see* Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90–351, 82 Stat. 197 (Jun. 19, 1968). Initially, the Secretary of the Treasury was empowered to provide relief only to a ''person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act).'' *Id.* at 233. Over time, however, that authority was transferred to the Attorney General and expanded to allow the Attorney General to provide relief to any ''person who is prohibited from possessing, shipping, transporting, or receiving firearms or ammunition'' and to allow such a person to ''make application to the Attorney General for relief from the disabilities imposed by Federal laws.'' 18 U.S.C. 925(c).

Regulations establishing a process to implement the relief-from-disabilities provisions of 18 U.S.C. 925(c) were also first promulgated in 1968. *See* Internal Revenue Service, Department of the Treasury, 33 FR 18555 (Dec. 14, 1968). Initially, those regulations delegated the Secretary of the Treasury's authority to adjudicate applications to remove disabilities under 18 U.S.C. 925(c) to the Commissioner of the Internal Revenue Service. *See* 26 CFR 178.144 (1968). Treasury Department Order 221 (June 6, 1972) created the forerunner of ATF, within the Department of the Treasury, effective July 1, 1972. *See* 37 FR 11696. In 1975, the Secretary of the Treasury ''transfer[red] the functions, powers and duties of the Internal Revenue Service arising under laws relating to alcohol, tobacco, firearms, and explosives'' to this new entity. *See* Alcohol, Tobacco, and Firearms, 40 FR 16835 (Apr. 15, 1975).

Under title XI, subtitle B, section 1111 of the Homeland Security Act of 2002, Public Law 107–296, 116 Stat. 2135 (2002) (''HSA''), the ''authorities, functions, personnel, and assets'' of the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury were transferred to the Department, with the exception of certain enumerated authorities retained by the Department of the Treasury. *Id.* 1111(c)(2), (d). In short, the HSA created two separate agencies, ATF in the Department and the Alcohol and Tobacco Tax and Trade Bureau in the Department of the Treasury.

Under 28 U.S.C. 509, ''[a]ll functions of other officers of the Department of Justice and all functions of agencies and employees of the Department of Justice are vested in the Attorney General,'' except for functions not relevant here. Moreover, the HSA expressly provided that ''the Attorney General may make such provisions as the Attorney General determines appropriate to authorize the performance by any officer, employee, or agency of the Department of Justice of any function transferred to the Attorney General under this section.'' HSA 1111; *see also* 28 U.S.C. 510 (''The Attorney General may from time to time make such provisions as he considers appropriate authorizing the performance

by any other officer, employee, or agency of the Department of Justice of any function of the Attorney General''). In doing so, the HSA made clear that the primary functions of ATF were investigating ''criminal and regulatory violations of the Federal firearms, explosives, arson, alcohol, and tobacco smuggling laws'' as well as other violent crimes and domestic terrorism as assigned by the Attorney General. HSA 1111(b). It also amended 18 U.S.C. 925(c) to make clear that an individual seeking relief from the disabilities related to firearms imposed by Federal laws must now seek relief from the Attorney General. *Id.* 1112(f)(6).

Pursuant to this statutory authority, and consistent with historical practice, the Attorney General delegated authority to adjudicate requests for relief from disabilities on the use of firearms as imposed by Federal law to ATF. *See* 27 CFR 478.144; Reorganization of Title 27, Code of Federal Regulations, 68 FR 3744 (Jan. 24, 2003). This delegation was effectuated through a final rule that took immediate effect and was exempt from notice-and-comment rulemaking. 68 FR 3747.

In the early 1990s, Congress became concerned about the number of resources that ATF was using to adjudicate requests to relieve individual Americans from disabilities on their ownership of firearms. S. Rep. 102–353 (''The Committee believes that the approximately 40 man-years spent annually to investigate and act upon these investigations and applications would be better utilized to crack down on violent crime.''). Congressional reports also stated that judging whether applicants posed ''a danger to public safety'' was ''a very difficult and subjective task,'' *id.,* and that ''too many felons . . . whose gun ownership rights were restored went on to commit crimes with firearms,'' H.R. Rep. 104–183 (1996). To allow ATF to return to its core function of investigating violations of federal firearms laws, *see id.* (''The Committee expects ATF to redeploy the positions and funding presently supporting firearms disability relief to the Armed Career Criminal program.''), Congress provided in 1992 that ''none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c).'' *Treasury, Postal Service, and General Government Appropriations Act,* 1993, Public Law 102–393, 106 Stat 1729 (1992).

Since then, ATF has been unable to effectuate its regulatory authority to act on individual applications due to an identical appropriations rider enacted annually. *See, e.g.,* Consolidated Appropriations Act, 2024, Public Law 118–42, 138 Stat. 25, 139 (2024) (''*Provided,* That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code''); *see also Is there a way for a prohibited person to restore their right to receive or possess firearms and ammunition?,* Bureau of Alcohol, Tobacco, Firearms and Explosives, *https://www.atf.gov/firearms/qa/there-way-prohibited-person-restore-their-right-receive-or-possess-firearms-and* (last visited February 15, 2025) (''Although federal law provides a means for the relief of firearms disabilities, ATF's annual appropriation since October 1992 has prohibited the expending of any funds to investigate or act upon applications for relief from federal firearms disabilities submitted by individuals.'').

ATF is, however, able to act on applications for relief from disabilities under 18 U.S.C. 925(c) filed by corporations, which are historically far less common. *See, e.g.,* Consolidated Appropriations Act, 2024, Public Law 118–42, 138 Stat. 25, 139 (2024) (''*Provided further,* That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code''). It has not received such an application since 2018, rendering ATF's existing regulations effectively moribund.

Nevertheless, as noted above, when it passed the HSA, Congress chose to transfer authority to remove individual firearms disabilities from the Secretary of the Treasury to the Attorney General. As a result, 18 U.S.C. 925(c) continues to provide a remedy to remove disabilities from firearms possession for certain individuals even though ATF has been unable to act on any application for such relief since 1992 due to the annual appropriations rider.[1] This confusing state of affairs has taken on greater significance given developments in Second Amendment jurisprudence since 1992.

[1] *Accord Calloway* v. *DC,* 216 F.3d 1, 11 (D.C. Cir. 2000) (recognizing the ''very strong presumption' that appropriation acts do not amend substantive statutes''); *Bldg. & Const. Trades Dep't, AFL–CIO* v. *Martin,* 961 F.2d 269, 273–74 (D.C. Cir. 1992) (same) (citing, *inter alia, TVA* v. *Hill,* 437 U.S. 153, 190 (1978). *Minis* v. *United States,* 40 U.S. (15 Pet.) 443 (1841); *National Treasury Employees Union* v. *Devine,* 733 F.2d 114, 120 (D.C. Cir. 1984); *General Accounting Office, Principles of Federal Appropriations Law.* 2–33 to 2–34 (3d ed. 2017).

B. Withdrawal of Delegation of Authority to ATF To Implement 18 U.S.C. 925(c)

In Executive Order 14206 of February 6, 2025 (*Protecting Second Amendment Rights*), the President reaffirmed our national commitment to ''[t]he Second Amendment [as] an indispensable safeguard of security and liberty,'' and directed that ''[w]ithin 30 days of the date of this order, the Attorney General shall examine all orders, regulations, guidance, plans, international agreements, and other actions of executive departments and agencies (agencies) to assess any ongoing infringements of the Second Amendment rights of our citizens.'' Consistent with this Order and with the Department's own strong support for all constitutional rights, including ''the right of the people to keep and bear arms'' enshrined in the Second Amendment, the Department has begun that review process in earnest and will provide the President with a plan as required by Order 14206. The Department simultaneously recognizes that no constitutional right is limitless; consequently, it also supports existing laws that ensure, for example, that violent and dangerous persons remain disabled from lawfully acquiring firearms. From the Department's perspective, regardless of whether the Second Amendment requires an individualized restoration process for persons subject to 18 U.S.C. 922(g), 18 U.S.C. 925(c) reflects an appropriate avenue to restore firearm rights to certain individuals who no longer warrant such disability based on a combination of the nature of their past criminal activity and their subsequent and current law-abiding behavior while screening out others for whom full restoration of firearm rights would not be appropriate.

However, ATF, which currently has regulatory authority to act on applications made under 18 U.S.C. 925(c), has been forbidden from utilizing any of its appropriated funds for staffing to process requests by individuals for over 30 years. The Department respects congressional appropriations prerogatives, and it expects its forthcoming plan under Executive Order 14206 to include legislative proposals to modify or rescind the rider. It is also undertaking a broader examination of how to address the drain on resources that caused Congress to impose the rider in the first instance, including by addressing any potential inefficiencies in the regulatory process created by 26 CFR 178.144. Although the specific contours of any

new approach to the implementation of 18 U.S.C. 925(c) may be refined through future rulemaking, the Attorney General has determined, in an exercise of her discretion under the HSA and 28 U.S.C. 509–510, that the appropriate first step is to withdraw the delegation to ATF to administer section 925(c) and withdraw the moribund regulations governing individual applications to ATF for 18 U.S.C. 925(c) relief. Consistent with that rider, the process described under 27 CFR 178.144 will not be transferred to any other agency or Department. At the same time, the statute speaks clearly that the authority provided in 18 U.S.C. 925(c) is conferred on the Attorney General, and no applicable statute restricts the Attorney General's authority in these circumstances to delegate that authority or withdraw a prior delegation or amend prior rules.[2] Thus, the Attorney General is withdrawing her delegation of authority to ATF to implement 18 U.S.C. 925(c) by revising a delegation of authority in 28 CFR 0.130 and removing 27 CFR 478.144.

Revising 28 CFR 0.130 and removing 27 CFR 478.144 further provides the Department a clean slate on which to build a new approach to implementing 18 U.S.C. 925(c) without the baggage of no-longer-necessary procedures—*e.g.,* a requirement to file an application ''in triplicate,'' 27 CFR 478.144(b). With such a clean slate, the Department anticipates future actions, including rulemaking consistent with applicable law, to give full effect to 18 U.S.C. 925(c) while simultaneously ensuring that violent or dangerous individuals remain disabled from lawfully acquiring firearms.

III. Regulatory Requirements

A. Administrative Procedure Act

Notice and comment is unnecessary because this is a rule of management or personnel as well as a rule of agency organization, procedure, or practice. *See* 5 U.S.C. 553(a)(2), (b)(A). For the same reasons, this rule is not subject to a 30-day delay in effective date. *See* 5 U.S.C. 553(a)(2), (d). The interim rule relates to an internal delegation of authority and relates to a matter of agency organization, procedure, or practice. *See* 5 U.S.C. 553(a)(2), (b)(A).

Removing effectively defunct regulations addressing how the Attorney General's statutory authority will be exercised does not adversely affect members of the public and involves an agency management decision that is exempt from the notice-and-comment rulemaking procedures of the Administrative Procedure Act (''APA''). *See United States* v. *Saunders,* 951 F.2d 1065, 1068 (9th Cir. 1991) (delegations of authority have ''no legal impact on, or significance for, the general public,'' and ''simply effect[ ] a shifting of responsibilities wholly internal to the Treasury Department''); *Lonsdale* v. *United States,* 919 F.2d 1440, 1446 (10th Cir. 1990) (''APA does not require publication of [rules] which internally delegate authority to enforce the Internal Revenue laws''); *United States* v. *Goodman,* 605 F.2d 870, 887–88 (5th Cir. 1979) (unpublished delegation of authority from Attorney General to Acting Administrator of the Drug Enforcement Agency did not violate APA); *Hogg* v. *United States,* 428 F.2d 274, 280 (6th Cir. 1970) (where taxpayer would not be adversely affected by the internal delegations of authority from the Attorney General, APA does not require publication).

This rule is exempt from the usual requirements of prior notice and comment and a 30-day delay in effective date because it relates to a matter of agency organization, procedure, or practice. *See* 5 U.S.C. 553(b). For similar reasons, the original rule delegating the Attorney General's 925(c) authority to ATF also did not go through a notice-and-comment process, *see* 68 FR at 3747, in contrast to the Department of the Treasury's 1968 rule that set forth substantive standards for consideration of 925(c) applications, *see* 33 FR 18555. Because ATF's existing rule was published, however, the Department nonetheless has—in the exercise of its discretion—deemed it appropriate to publish its revocation in the form of an IFR. *Cf.* 44 U.S.C. 1510(e) (noting that publication ''shall be prima facie evidence of the text of the documents and of the fact that they are in effect on and after the date of publication''). Due to the significance of the removal of firearms disabilities process, it is also providing the public with opportunity for post-promulgation comment before the Department issues a final rule on these matters. Providing such an opportunity is not, however, committing the Department to waive its exemption from the APA's notice-and-comment process in this or future rulemakings regarding the removal of firearms disabilities under section 925(c). *Accord Buschmann* v. *Schweiker,* 676 F.2d 352, 356 n.4 (9th Cir. 1982) (finding that an agency had waived its exemption to the extent that it bound itself to using APA procedures); *Rodway* v. *U.S. Dep't of Agric.,* 514 F.3d 809, 814 (D.C. Cir. 1975) (same).

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (''RFA''), a regulatory flexibility analysis is not required when a rule is exempt from notice-and-comment rulemaking under 5 U.S.C. 553(b) or other law. 5 U.S.C. 603(a), 604(a). Because this is a rule of internal agency organization and therefore is exempt from notice-and-comment rulemaking, no RFA analysis under 5 U.S.C. 603 or 604 is required for this rule.

C. Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year (adjusted for inflation), and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

D. Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review)

This rule is limited to agency organization, management, or personnel matters and is therefore not subject to review by the Office of Management and Budget pursuant to section 3(d)(3) of Executive Order 12866, Regulatory Planning and Review. Nevertheless, the Department certifies that this regulation has been drafted in accordance with the principles of Executive Order 12866, section 1(b), and Executive Order 13563. Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects, distributive impacts, and equity). The benefits of this rule include providing the Department a clean slate to reconsider its approach to

[2] Absent such a clear statement by Congress, an agency is presumed to have the inherent authority to reconsider its prior decisions. *E.g., Ivy Sports Medicine, LLC* v. *Burwell,* 767 F.3d 81, 86 (D.C. Cir. 2014) (Kavanaugh, J.) (''[A]dministrative agencies are assumed to possess at least some inherent authority to revisit their prior decisions, at least if done in a timely fashion. . . . ''[I]nherent authority for timely administrative reconsideration is premised on the notion that the power to reconsider is inherent in the power to decide.'' (quotation marks and citations omitted)); *Macktal* v. *Chao,* 286 F.3d 822, 825–26 (5th Cir. 2002) (''It is generally accepted that in the absence of a specific statutory limitation, an administrative agency has the inherent authority to reconsider its decisions.'') (collecting cases); *Mazaleski* v. *Treusdell,* 562 F.2d 701, 720 (D.C. Cir. 1977) (''We have many times held that an agency has the inherent power to reconsider and change a decision if it does so within a reasonable period of time.'').

implementing a core constitutional right embodied by a statutory authorization that has largely lain dormant for over thirty years.

E. Executive Order 13132—Federalism

This rule will not have substantial direct effects 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. Therefore, in accordance with section 6 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

F. Executive Order 12988—Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

G. Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no new or revised recordkeeping or reporting requirements.

H. Congressional Review Act

This is not a major rule as defined by 5 U.S.C. 804(2). This action pertains to agency organization, management, and personnel and, accordingly, is not a ''rule'' as that term is used in 5 U.S.C. 804(3). Therefore, the reports to Congress and the Government Accountability Office specified by 5 U.S.C. 801 are not required.

I. Executive Order 14192—Regulatory Costs

Executive Order 14192, titled ''Unleashing Prosperity Through Deregulation,'' was issued on January 31, 2025. Section 3(a) of Executive Order 14192 requires an agency, unless prohibited by law, to identify at least ten existing regulations to be repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation. In furtherance of this requirement, section 3(c) of Executive Order 14192 requires that the new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations. This interim final rule is a deregulatory action under Executive Order 14192 because it withdraws the Attorney General's delegation of authority to ATF to adjudicate applications for relief from the disabilities imposed by 18 U.S.C. 922 pursuant to 18 U.S.C. 925(c).

List of Subjects

27 CFR Part 478

Administrative practice and procedure, Arms and munitions, Customs duties and inspection, Exports, Imports, Intergovernmental relations, Law enforcement officers, Military personnel, Penalties, Reporting and recordkeeping requirements, Research, Seizures and forfeitures, Transportation.

28 CFR Part 0

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies).

Accordingly, for the reasons discussed in the preamble, 27 CFR part 478 and 28 CFR part 0 are amended as follows:

Title 27—Alcohol, Tobacco Products and Firearms

PART 478—COMMERCE IN FIREARMS AND AMMUNITION

■ 1. The authority citation for 27 CFR part 478 continues to read as follows:

Authority: 5 U.S.C. 552(a); 18 U.S.C. 921–931

§ 478.144 [Removed and Reserved].

■ 2. Remove and reserve § 478.144.

Title 28—Judicial Administration

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

■ 3. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–519.

■ 4. In § 0.130, revise paragraph (a)(1) to read as follows:

§ 0.130 General functions.

* * * * *

(a) * * *

(1) 18 U.S.C. chapters 40 (related to explosives); 44 (related to firearms), except for 18 U.S.C. 925(c); 59 (related to liquor trafficking); and 114 (related to trafficking in contraband cigarettes);

* * * * *

Dated: March 12, 2025.

Pamela J. Bondi,

Attorney General.

[FR Doc. 2025–04872 Filed 3–18–25; 4:15 pm]

BILLING CODE 4410–BB–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 257

[EPA–HQ–OLEM–2020–0107; FRL–7814.1–05–OLEM]

RIN 2050–AH34

Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments; Correction; Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to the receipt of adverse comment, the Environmental Protection Agency (EPA) is withdrawing the direct final rule titled, ''Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments; Correction,'' published on January 16, 2025.

DATES: As of March 20, 2025, the EPA withdraws the direct final rule published at 90 FR 4635, on January 16, 2025.

FOR FURTHER INFORMATION CONTACT: Taylor Holt, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, MC: 5304T, Washington, DC 20460; telephone number: (202) 566–1439; email address: *holt.taylor@epa.gov,* or Frank Behan, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, MC: 5304T, Washington, DC 20460; telephone number: (202) 566–0531; email address: *behan.frank@epa.gov.* For more information on this rulemaking, please visit *https://www.epa.gov/coalash.*

SUPPLEMENTARY INFORMATION: Due to the receipt of adverse comment, the EPA is withdrawing the direct final rule titled, ''Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments; Correction,'' published on January 16, 2025 (90 FR 4635). We stated in that direct final rule that if we received adverse comment by March 17, 2025, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. Because the EPA subsequently received adverse comment on that direct

final rule, we are withdrawing the direct final rule.

The EPA published a parallel proposed rule (90 FR 4707, January 16, 2025) on the same day as the direct final rule. The proposed rule invited comment on the substance of the direct final rule. Notwithstanding this action to withdraw the direct final rule, the EPA will continue to accept comment on the parallel proposed rule through March 17, 2025, which is the deadline to submit comments. The EPA will respond to comments as part of any final action it takes on the parallel proposed rule.

List of Subjects

40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

40 CFR Part 257

Environmental protection, Beneficial use, Coal combustion products, Coal combustion residuals, Coal combustion waste, Disposal, Hazardous waste, Landfill, Surface impoundment.

■ Accordingly, as of March 20, 2025, the EPA withdraws the direct final rule amending 40 CFR parts 9 and 257, which published at 90 FR 4635, on January 16, 2025.

Barry N. Breen,

Principal Deputy Assistant Administrator, Office of Land and Emergency Management.

[FR Doc. 2025–04800 Filed 3–19–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 98

[EPA–HQ–OAR–2025–0096; FRL–12676–01–OAR]

RIN 2060–AW50

Extending the Reporting Deadline Under the Greenhouse Gas Reporting Rule for 2024 Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is promulgating this final rule to extend the reporting deadline under the Greenhouse Gas Reporting Rule for reporting year 2024 data from March 31, 2025, to May 30, 2025. This rule only changes the reporting deadline for annual greenhouse gas (GHG) reports for reporting year 2024. This rule does not change the reporting deadline for future years, and it does not change the requirements for what regulated entities must report.

DATES: This rule is effective March 20, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket Id. No. EPA–HQ–OAR–2025–0096. All documents in the docket are listed in the *www.regulations.gov* index. 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. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744 and the telephone number for the Air Docket is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: Jennifer Bohman, Climate Change Division, Office of Atmospheric Protection (MC–6207A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 343–9548; email address: *GHGReporting@epa.gov.*

Preamble acronyms and abbreviations. Throughout this document the use of ''we'' or ''our'' is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

APA Administrative Procedure Act
CAA Clean Air Act
CBI confidential business information
CFR Code of Federal Regulations
CRA Congressional Review Act
e-GGRT electronic Greenhouse Gas Reporting Tool
EPA Environmental Protection Agency
FR Federal Register
GHG greenhouse gas
GHGRP Greenhouse Gas Reporting Program
NAICS North American Industry Classification System
NTTAA National Technology Transfer and Advancement Act
OMB Office of Management and Budget
PRA Paperwork Reduction Act
PBI proprietary business information
RFA Regulatory Flexibility Act
RY reporting year
UMRA Unfunded Mandates Reform Act of 1995
U.S. United States of America
U.S.C. United States Code

Organization of this document. The information in this document is organized as follows:

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SUPPLEMENTARY INFORMATION:

I. General

A. Potentially Affected Entities

This action amends existing regulations. Entities affected by this action are owners or operators of facilities that are direct emitters or suppliers of greenhouse gases (GHGs) or that sequester carbon dioxide (CO_2) gas underground. These entities are required to report certain activities under the Greenhouse Gas Reporting Program (GHGRP) (codified at 40 CFR part 98. Regulated categories and entities include, but are not limited to, those listed in table 1 of this preamble:

TABLE 1—EXAMPLES OF AFFECTED ENTITIES BY CATEGORY

Category	North American Industry Classification System (NAICS)	Examples of facilities that may be subject to 40 CFR part 98
Adipic Acid Production	325199	All other basic organic chemical manufacturing: Adipic acid manufacturing.
Aluminum Production	331313	Primary aluminum production facilities.
Ammonia Manufacturing	325311	Anhydrous ammonia manufacturing facilities.
Calcium Carbide Production	325180	Other basic inorganic chemical manufacturing: calcium carbide manufacturing.
Carbon Dioxide Enhanced Oil Recovery Projects	211120	Oil and gas extraction projects using carbon dioxide enhanced oil recovery.
Caprolactam, Glyoxal, and Glyoxylic Acid Production	325199	All other basic organic chemical manufacturing.
Cement Production	327310	Cement manufacturing.
Ceramics Manufacturing	327110	Pottery, ceramics, and plumbing fixture manufacturing.
	327120	Clay building material and refractories manufacturing.
Coke Calcining	299901	Coke; coke, petroleum; coke, calcined petroleum.
Electronics Manufacturing	334111	Microcomputers manufacturing facilities.
	334413	Semiconductor, photovoltaic (PV) (solid-state) device manufacturing facilities.
	334419	Liquid crystal display (LCD) unit screens manufacturing facilities; Microelectromechanical (MEMS) manufacturing facilities.
Electrical Equipment Manufacture or Refurbishment	33531	Power transmission and distribution switchgear and specialty transformers manufacturing facilities.
Electricity generation units that report through 40 CFR part 75.	221112	Electric power generation, fossil fuel (*e.g.,* coal, oil, gas).
Electrical Equipment Use	221121	Electric bulk power transmission and control facilities.
Electrical transmission and distribution equipment manufacture or refurbishment.	33361	Engine, Turbine, and Power Transmission Equipment Manufacturing.
Ferroalloy Production	331110	Ferroalloys manufacturing.
Fluorinated Greenhouse Gas Production	325120	Industrial gases manufacturing facilities.
Geologic Sequestration	NA	CO_2 geologic sequestration sites.
Glass Production	327211	Flat glass manufacturing facilities.
	327213	Glass container manufacturing facilities.
	327212	Other pressed and blown glass and glassware manufacturing facilities.
HCFC-22 Production	325120	Industrial gas manufacturing: Hydrochlorofluorocarbon (HCFC) gases manufacturing.
HFC-23 destruction processes that are not collocated with a HCFC-22 production facility and that destroy more than 2.14 metric tons of HFC-23 per year.	325120	Industrial gas manufacturing: Hydrofluorocarbon (HFC) gases manufacturing.
Hydrogen Production	325120	Hydrogen manufacturing facilities.
Industrial Waste Landfill	562212	Solid waste landfill.
Industrial Wastewater Treatment	221310	Water treatment plants.
Injection of Carbon Dioxide	211	Oil and gas extraction.
Iron and Steel Production	333110	Integrated iron and steel mills, steel companies, sinter plants, blast furnaces, basic oxygen process furnace (BOPF) shops.
Lead Production	331	Primary metal manufacturing.
Lime Manufacturing	327410	Lime production.
Magnesium Production	331410	Nonferrous metal (except aluminum) smelting and refining: Magnesium refining, primary.
Nitric Acid Production	325311	Nitrogenous fertilizer manufacturing: Nitric acid manufacturing.
Petroleum and Natural Gas Systems	486210	Pipeline transportation of natural gas.
	221210	Natural gas distribution facilities.
	211120	Crude petroleum extraction.
	211130	Natural gas extraction.
Petrochemical Production	324110	Petrochemicals made in petroleum refineries.
Petroleum Refineries	324110	Petroleum refineries.
Phosphoric Acid Production	325312	Phosphatic fertilizer manufacturing.
Pulp and Paper Manufacturing	322110	Pulp mills.
	322120	Paper mills.
	322130	Paperboard mills.
Miscellaneous Uses of Carbonate	Facilities included elsewhere.	
Municipal Solid Waste Landfills	562212	Solid waste landfills.
	221320	Sewage treatment facilities.
Silicon Carbide Production	327910	Silicon carbide abrasives manufacturing.
Soda Ash Production	325180	Other basic inorganic chemical manufacturing: Soda ash manufacturing.

TABLE 1—EXAMPLES OF AFFECTED ENTITIES BY CATEGORY—Continued

Category	North American Industry Classification System (NAICS)	Examples of facilities that may be subject to 40 CFR part 98
Suppliers of Carbon Dioxide	325120	Industrial gas manufacturing facilities.
Suppliers of Industrial Greenhouse Gases	325120	Industrial greenhouse gas manufacturing facilities.
Titanium Dioxide Production	325180	Other basic inorganic chemical manufacturing: Titanium dioxide manufacturing.
Underground Coal Mines	212115	Underground coal mining.
Zinc Production	331410	Nonferrous metal (except aluminum) smelting and refining: Zinc refining, primary.
Importers and Exporters of Pre-charged Equipment and Closed-Cell Foams.	423730	Air-conditioning equipment (except room units) merchant wholesalers.
	333415	Air-conditioning equipment (except motor vehicle) manufacturing.
	423620	Air-conditioners, room, merchant wholesalers.
	449210	Electronics and Appliance retailers.
	326150	Polyurethane foam products manufacturing.
	335313	Circuit breakers, power, manufacturing.
	423610	Circuit breakers and related equipment merchant wholesalers.

Table 1 of this preamble is not intended to be exhaustive but rather provides a guide for readers regarding facilities likely to be affected by this action. This table lists the types of facilities that the EPA is now aware could potentially be affected by this action. Other types of facilities than those listed in the table could also be subject to reporting requirements. To determine whether you would be affected by this proposed action, you should carefully examine the applicability criteria found in 40 CFR part 98, subpart A (General Provisions) and the subpart for each source category. Many facilities that are affected by 40 CFR part 98 have greenhouse gas emissions from multiple source categories listed in table 1 of this preamble. If you have questions regarding the applicability of this action to a particular facility, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

B. Statutory Authority

EPA is amending the reporting deadlines pursuant to Section 114 of the Clean Air Act (CAA), which also served as the basis of statutory authority for the underlying rule, 42 U.S.C. 7414. As noted in prior rulemakings for this program, EPA has interpreted CAA section 114(a)(1) to authorize reporting requirements related to EPA's CAA programs. Statutory authority for the rulemaking procedures followed in this action is provided by Administrative Procedure Act (APA) section 553(b)(B), based on EPA's finding of good cause to forego notice and comment, 5 U.S.C. 553(b)(B).

II. Regulatory Revisions

EPA is amending subpart A (General Provisions) at 40 CFR 98.3(b) to extend the reporting deadline for annual greenhouse gas (GHG) reports for reporting year 2024 from March 31, 2025, to May 30, 2025. This one-time extension of the reporting deadline will ensure that regulated entities have adequate time to interact with the reporting software to prepare and submit the annual GHG reports required under the existing rule. Facilities and suppliers are required to submit each GHG report ''electronically in accordance with'' specified regulatory requirements and in ''a format specified by the Administrator'' as stated at 40 CFR 98.5(a). EPA has required electronic reporting and provided an electronic reporting system, the electronic Greenhouse Gas Reporting Tool (hereafter refer to as ''e-GGRT''), for facilities and suppliers since 2010 to prepare and submit annual GHG reports.

Historically, EPA has launched the e-GGRT system in mid-February for a given reporting year. As a result, regulated entities have generally had a six-week period to work in the e-GGRT system to prepare and submit their annual GHG reports. As of March 2025, the e-GGRT system has not been launched, and as a result, facilities have not had adequate time to interact with the reporting system to prepare and submit their annual GHG reports for reporting year 2024. For this reason, EPA is extending the GHGRP reporting deadline for annual GHG reports for reporting year 2024 from March 31, 2025, to May 30, 2025.

III. Rulemaking Procedures and Findings of Good Cause

EPA finds good cause to forego notice and comment for this action pursuant to APA section 553(b)(B) because notice and comment would be impracticable and contrary to the public interest. EPA is making a one-time, 60-day extension of the reporting deadline for submitting annual GHG reports for reporting year 2024. An immediate extension of the deadline for submitting annual GHG reports under Part 98 is necessary to ensure that regulated entities have sufficient time to interact with the e-GGRT system to prepare and submit accurate annual GHG reports. Given the existing regulatory deadline, it is impracticable for EPA to provide notice and comment on the deadline extension because EPA would not be able to finalize the amendment before the GHG reports for reporting year 2024 are currently due. Additionally, it would be contrary to the public interest to provide notice and comment on the deadline extension because it would likely result in submission of incomplete or inaccurate GHG reports for reporting year 2024 by the existing deadline. Regulated entities still have the option to prepare and submit reports sooner if they prefer that course of action. EPA notes that these revisions do not make any changes to the substance of what regulated entities must report to EPA.

The regulatory revisions made in this action will take effect immediately on March 20, 2025. Under APA section 553(d)(1), a final rule may be made effective on publication when it ''grants or recognizes an exemption or relieves a restriction,'' 5 U.S.C. 553(d)(1). This

action extends the reporting deadline for regulated entities by 60 days so that facilities have sufficient time to enter data into the e-GGRT system. Absent this action, regulated entities would have insufficient time to prepare and submit annual reports in the e-GGRT system, and this action relieves that restriction. Therefore, the normal 30-day minimum period between this action's dates of publication and effectiveness is not required. Moreover, EPA finds good cause to make the rule immediately effective pursuant to APA section 553(d)(3) because the existing reporting deadline is less than 30 days from publication. 5 U.S.C. 553(d)(3). Unless this action is effective before the reporting deadline, the regulatory revisions will not accomplish the objective of ensuring complete and accurate reporting by extending the reporting deadline 60 days to May 30, 2025.

IV. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders.*

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action alleviates regulatory burden as described in Executive Order 14192.

C. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection requirements contained in the existing regulation and has assigned OMB control number 2060–0629, OMB control number 2060–0748, and OMB control number 2060–0751. This action extends the deadline for submitting annual GHG reports for reporting year 2024 data from March 31, 2025, to May 30, 2025. This rule does not change the requirements for what regulated entities must report.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements because EPA has found good cause to forego notice and comment under 5 U.S.C. 553(b).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action imposes no enforceable duty on any state, local, or Tribal governments. Requirements for the private sector do not exceed $100 million in any one year.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects 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.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications as specified in Executive Order 13175. The rule does not result in any changes to the requirements of Part 98 other than extending the reporting deadline for submitting annual GHG reports for reporting year 2024 data until May 30, 2025. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk. Since this action does not concern human health, EPA's Policy on Children's Health also does not apply.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 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).

L. Judicial Review

Under CAA section 307(b)(1), any petition for review of this final rule must be filed in the U.S. Court of Appeals for the District of Columbia Circuit by May 19, 2025. This rulemaking revises the submission deadline for submitting annual GHG reports for reporting year 2024, which applies to owners and operators of facilities and suppliers for all source categories of 40 CFR part 98. These facilities and suppliers are located across the United States and therefore this rulemaking is ''nationally applicable'' within the meaning of CAA section 307(b)(1). Under CAA section 307(b)(2), the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce these requirements.

List of Subjects in 40 CFR Part 98

Environmental protection, Administrative practice and procedure, Greenhouse gases, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

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

PART 98—MANDATORY GREENHOUSE GAS REPORTING

■ 1. The authority citation for part 98 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart A—General Provision

■ 2. Amend § 98.3 by revising and republishing paragraph (b) to read as follows:

§ 98.3 What are the general monitoring, reporting, recordkeeping and verification requirements of this part?

* * * * *

(b) *Schedule.* The annual GHG report for reporting year 2010 must be submitted no later than September 30,

2011. The annual report for reporting years 2011 and beyond must be submitted no later than March 31 of each calendar year for GHG emissions in the previous calendar year, except as provided in paragraphs (b)(1) and (b)(5) of this section.

(1) For reporting year 2011, facilities with one or more of the subparts listed in paragraphs (b)(1)(i) through (b)(1)(xi) of this section and suppliers listed in paragraph (b)(1)(xii) of this section are required to submit their annual GHG report no later than September 28, 2012. Facilities and suppliers that are submitting their second annual GHG report in 2012 and that are reporting on one or more subparts listed in paragraphs (b)(1)(i) through (b)(1)(xii) of this section must notify EPA by March 31, 2012, that they are not required to submit their annual GHG report until September 28, 2012.

(i) Electronics Manufacturing (subpart I).

(ii) Fluorinated Gas Production (subpart L).

(iii) Magnesium Production (subpart T).

(iv) Petroleum and Natural Gas Systems (subpart W).

(v) Use of Electric Transmission and Distribution Equipment (subpart DD).

(vi) Underground Coal Mines (subpart FF).

(vii) Industrial Wastewater Treatment (subpart II).

(viii) Geologic Sequestration of Carbon Dioxide (subpart RR).

(ix) Manufacture of Electric Transmission and Distribution (subpart SS).

(x) Industrial Waste Landfills (subpart TT).

(xi) Injection of Carbon Dioxide (subpart UU).

(xii) Imports and Exports of Equipment Pre-charged with Fluorinated GHGs or Containing Fluorinated GHGs in Closed-cell Foams (subpart QQ).

(2) For a new facility or supplier that begins operation on or after January 1, 2010, and becomes subject to the rule in the year that it becomes operational, report emissions starting the first operating month and ending on December 31 of that year. Each subsequent annual report must cover emissions for the calendar year, beginning on January 1 and ending on December 31.

(3) For any facility or supplier that becomes subject to this rule because of a physical or operational change that is made after January 1, 2010, report emissions for the first calendar year in which the change occurs, beginning with the first month of the change and ending on December 31 of that year. For a facility or supplier that becomes subject to this rule solely because of an increase in hours of operation or level of production, the first month of the change is the month in which the increased hours of operation or level of production, if maintained for the remainder of the year, would cause the facility or supplier to exceed the applicable threshold. Each subsequent annual report must cover emissions for the calendar year, beginning on January 1 and ending on December 31.

(4) Unless otherwise stated, if the final day of any time period falls on a weekend or a federal holiday, the time period shall be extended to the next business day.

(5) The annual GHG report for reporting year 2024 must be submitted no later than May 30, 2025.

* * * * *

[FR Doc. 2025–04724 Filed 3–19–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2022–0848; FRL–12666–01–OCSPP]

Potassium Polyaspartate in Pesticide Formulations; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of potassium polyaspartate (CASRN 64723–18–8) when used as an inert ingredient (complexing agent), at a maximum of 10% in formulation, pre-harvest. Rosen's Inc., submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of potassium polyaspartate, when used in accordance with the terms of the exemptions.

DATES: This regulation is effective March 20, 2025. Objections and requests for hearings must be received on or before May 19, 2025 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–20220848, is available at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket in-person, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Charles Smith, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is EPA's authority for taking this action?

EPA is issuing this rulemaking under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. FFDCA section 408(c)(2)(A)(i) allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is ''safe.'' FFDCA section 408(c)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Pursuant to FFDCA section 408(c)(2)(B), in establishing or maintaining in effect an exemption from the requirement of a

tolerance, EPA must take into account the factors set forth in FFDCA section 408(b)(2)(C), which require EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .'' Additionally, FFDCA section 408(b)(2)(D) requires that the Agency consider, among other things, ''available information concerning the cumulative effects of a particular pesticide's residues'' and ''other substances that have a common mechanism of toxicity.''

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no harm to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2022–0848, in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before May 19, 2025.

EPA's Office of Administrative Law Judges (OALJ), where the Hearing Clerk is housed, urges parties to file and serve documents by electronic means only, notwithstanding any other particular requirements set forth in other procedural rules governing those proceedings. See ''Revised Order Urging Electronic Service and Filing'', dated June 22, 2023, which can be found at *https://www.epa.gov/system/files/documents/2023-06/2023-06-22%20-%20revised%20order%20urging%20electronic%20filing%20and%20service.pdf.* Although EPA's regulations require submission via U.S. Mail or hand delivery, EPA intends to treat submissions filed via electronic means as properly filed submissions; therefore, EPA believes the preference for submission via electronic means will not be prejudicial. When submitting documents to the OALJ electronically, a person should utilize the OALJ e-filing system at *https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf/HomePage?ReadForm.*

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute. If you wish to include CBI in your request, please follow the applicable instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice.

II. Petition for Exemption

In the **Federal Register** of November 17, 2022 (87 FR 68959, FRL 9410–07–OCSPP), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (PP IN–11696) by Rosen's Inc., 700 SW 291 Hwy. Suite 204, Liberty, MO 64068. The petition requested that 40 CFR 180.920 be amended by establishing an exemption from the requirement of a tolerance for residues of potassium polyaspartate (CASRN 64723–18–8) when used as an inert ingredient (complexing agent) at a maximum of 10% in pesticide formulations applied pre-harvest under 40 CFR 180.920. That document referenced a summary of the petition prepared by Rosen's Inc., the petitioner, which is available in the docket. There were no comments received in response to the notice of filing.

III. Inert Ingredient Definition

Inert ingredients are all ingredients in the pesticide, that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term ''inert'' is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Aggregate Risk Assessment and Determination of Safety

Consistent with FFDCA section 408(c)(2)(A), and the factors specified in FFDCA section 408(c)(2)(B), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for potassium polyaspartate including exposure resulting from the exemption established by this action. EPA's assessment of exposures and risks associated with potassium polyaspartate follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered their validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. Specific information on the studies received and the nature of the adverse effects caused by potassium polyaspartate as well as the no-observed-adverse-effect-level (NOAEL) and the lowest-observed-adverse-effect-level (LOAEL) from the toxicity studies are discussed in this unit.

The toxicological database of potassium polyaspartate is also supported by data regarding the analog sodium polyaspartate. EPA has determined that since sodium polyaspartate is likely to mimic the

effects of sodium polyaspartate due to similarities in the functional groups/structure, composition, metabolism, and physical/chemical properties, it is appropriate to bridge sodium polyaspartate data to assess potassium polyaspartate.

Potassium polyaspartate is anticipated to exhibit low levels of acute toxicity via the oral, dermal, and inhalation routes of exposure. It is not likely to be a skin or eye irritant or a skin sensitizer. No adverse effects were reported in the 14-day and 90-day study in rats at the limit dose of 1,000 mg/kg/day. Although developmental/reproductive toxicity studies were not available, the 90-day study did not show any adverse effects on reproductive parameters and there were no structural alerts for developmental/reproductive toxicity when evaluated using modeling. The 90-day study also performed a neurotoxicity screening, and no signs of neurotoxicity were reported. No evidence of immunotoxicity was seen in the studies. Furthermore, concern for carcinogenicity is low, based on negative results in mutagenicity studies, and the lack of structural alerts for carcinogenicity.

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA identifies toxicological points of departure (POD) and levels of concern to use in evaluating the risk posed by human exposure to the pesticide. For hazards that have a threshold below which there is no appreciable risk, the toxicological POD is used as the basis for derivation of reference values for risk assessment. PODs are developed based on a careful analysis of the doses in each toxicological study to determine the dose at which no adverse effects are observed (the NOAEL) and the lowest dose at which adverse effects of concern are identified (the LOAEL). Uncertainty/safety factors are used in conjunction with the POD to calculate a safe exposure level—generally referred to as a population-adjusted dose (PAD) or a reference dose (RfD)—and a safe margin of exposure (MOE). For non-threshold risks, the Agency assumes that any amount of exposure will lead to some degree of risk. Thus, the Agency estimates risk in terms of the probability of an occurrence of the adverse effect expected in a lifetime. For more information on the general principles EPA uses in risk characterization and a complete description of the risk assessment process, see *https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program.*

The hazard profile of potassium polyaspartate is adequately defined. Overall, potassium polyaspartate is of low acute, subchronic, and developmental toxicity. No systemic toxicity is observed up to 1,000 mg/kg/day. Since signs of toxicity were not observed, no toxicological endpoints of concern or PODs were identified. Therefore, a qualitative risk assessment for potassium polyaspartate can be performed.

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to potassium polyaspartate, EPA considered exposure under the proposed exemption from the requirement of a tolerance. EPA assessed dietary exposures from potassium polyaspartate in food as follows:

Dietary exposure (food and drinking water) to potassium polyaspartate may occur following ingestion of foods with residues from their use in accordance with this exemption. However, a quantitative dietary exposure assessment was not conducted since a toxicological endpoint for risk assessment was not identified.

2. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables). Potassium polyaspartate may be present in pesticide and non-pesticide products that may be used in and around the home. However, a quantitative residential exposure assessment was not conducted since a toxicological endpoint for risk assessment was not identified.

3. *Cumulative effects from substances with a common mechanism of toxicity.* FFDCA section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA has not found potassium polyaspartate to share a common mechanism of toxicity with any other substances, and potassium polyaspartate does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance exemption, therefore, EPA has assumed that potassium polyaspartate does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's website at *https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/cumulative-assessment-risk-pesticides.*

D. Additional Safety Factor for the Protection of Infants and Children

FFDCA section 408(b)(2)(C) provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the Food Quality Protection Act (FQPA) Safety Factor (SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

Based on an assessment of potassium polyaspartate EPA has concluded that there are no toxicological endpoints of concern for the U.S. population, including infants and children. Because there are no threshold effects and low toxicity in available studies associated with potassium polyaspartate, EPA conducted a qualitative assessment. As part of that qualitative assessment, the Agency did not use safety factors for assessing risk, and no additional safety factor is needed for assessing risk to infants and children.

E. Aggregate Risks and Determination of Safety

Because no toxicological endpoints of concern were identified, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to potassium polyaspartate residues.

V. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is not establishing a numerical tolerance for residues of potassium polyaspartate in or on any food commodities. EPA is establishing a limitation on the amount of potassium polyaspartate that may be used in pesticide formulations applied pre-harvest. This limitation will be enforced through the pesticide registration process under the Federal Insecticide,

Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.* EPA will not register any pesticide formulation for food use that exceeds 10% potassium polyaspartate in the final pesticide formulation.

VI. Conclusions

Therefore, an exemption from the requirement of a tolerance is established for residues of potassium polyaspartate (CASRN 64723–18–8) when used as an inert ingredient (complexing agent) at a maximum of 10% in pesticide formulations applied pre-harvest under 40 CFR 180.920.

VII. Statutory and Executive Order Reviews

This action establishes exemptions from the requirement of a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the exemptions in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VIII. Congressional Review Act (CRA)

This action is subject to the CRA (5 U.S.C. 801 *et seq.*), EPA will submit a rule report to each the House of Congress, and to the Comptroller General of the United States. This action does meet the criteria set forth in 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 10, 2025.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

For the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.920, amend Table 1 to 180.920 by adding, in alphabetical order, an entry for ''Potassium polyaspartate'' to read as follows:

§ 180.920 Inert ingredients used pre-harvest; exemptions from the requirement of a tolerance.

* * * * *

TABLE 1 TO § 180.920

Inert ingredients	Limits	Uses
* * *	* * *	*
Potassium polyaspartate (CASRN 64723–18–8)	Maximum of 10% in pesticide formulations	Complexing agent.
* * *	* * *	*

[FR Doc. 2025–04707 Filed 3–19–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 1090

[EPA–HQ–OAR–2022–0513; FRL–9845.1–03–OAR]

RIN 2060–AW51

Extension of Effective Date for Removal of Gasoline Volatility Waiver for Ohio and Nine Counties in South Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This final rule extends the effective date for removal of the 1-psi gasoline volatility waiver in Ohio and nine counties in South Dakota by one year from April 28, 2025, to April 28, 2026. This action responds to petitions from the Governors of Ohio and South Dakota requesting an extension of the effective date to the summer of 2026.

DATES:

Effective date. This final rule is effective on March 19, 2025.

Operational date. For operational purposes under the Clean Air Act (CAA), this final rule is effective as of March 14, 2025.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2022–0513. 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 is not available on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For questions regarding this action, contact Lauren Michaels, Assessment and Standards Division, Office of Transportation and Air Quality, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214–4640; email address: *michaels.lauren@epa.gov.*

SUPPLEMENTARY INFORMATION:

Dates

EPA is taking this action as a final rule without prior proposal and public comment because EPA finds that the good cause exemption from the notice and comment rulemaking requirement of the Administrative Procedure Act (APA), 5 U.S.C. 551 *et seq.,* applies here. Section 553(b)(B) of the APA, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds (and incorporates the finding and a brief statement of reasons thereof in the rule issued) that notice and comment public procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment.

EPA has determined that there is good cause for promulgating this final rule without prior proposal and opportunity for comment. Notice and comment procedures are impracticable and contrary to the public interest, as they would not allow for implementation of this action prior to removal of the 1-psi waiver on the existing April 28, 2025, deadline, which would severely constrain the availability of gasoline in Ohio and western South Dakota. As described in section III, a recent explosion at a refinery that supplies gasoline to western South Dakota and the absence of necessary infrastructure to distribute low-RVP gasoline in Ohio, along with Ohio's unique status of not bordering any of the other States that petitioned for removal of the 1-psi waiver, would lead to an insufficient supply of gasoline in these areas if the 1-psi waiver were to be removed on April 28, 2025. Without this final rule, refineries would be unable to supply gasoline to these areas that meets the regulatory requirements, resulting in an insufficient supply of gasoline to the areas. Therefore, EPA is promulgating this final rule without prior proposal and opportunity for comment in order to expeditiously change the requirements before refineries and distributors need to supply gasoline to these areas and so that there is sufficient supply of gasoline in these States for the summer of 2025.

Additionally, we are determining there is good cause to make this final rule immediately operational upon signature. When an agency grants or recognizes an exemption or relieves a restriction, affected parties do not need a reasonable time to adjust because the effect is not adverse. Here, the regulatory amendments to 40 CFR part 1090 relieve a restriction by extending the compliance deadline for the removal of the 1-psi waiver in Ohio and nine counties in South Dakota by one year ahead of the otherwise imminent deadline of April 28, 2025, thus providing refiners and distributors additional time to make the capital investments and physical changes to refineries and the fuel distribution system necessary to supply these areas with low-RVP gasoline and to ensure there is not an insufficient supply of gasoline in these areas. Because the rule revisions relieve a restriction and advance notice is not needed, this final rule is immediately operational upon signature.

Does this action apply to me?

Entities potentially affected by this final rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel. Potentially affected categories include:

Category	NAICS [a] code	Examples of potentially affected entities
Industry	211130	Natural gas liquids extraction and fractionation.
Industry	221210	Natural gas production and distribution.
Industry	324110	Petroleum refineries (including importers).
Industry	325110	Butane and pentane manufacturers.
Industry	325193	Ethyl alcohol manufacturing.
Industry	325199	Manufacturers of gasoline additives.
Industry	424710	Petroleum bulk stations and terminals.
Industry	424720	Petroleum and petroleum products wholesalers.
Industry	447110, 447190	Fuel retailers.
Industry	454310	Other fuel dealers.
Industry	486910	Natural gas liquids pipelines, refined petroleum products pipelines.
Industry	493190	Other warehousing and storage—bulk petroleum storage.

[a] North American Industry Classification System (NAICS).

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. This table lists the types of entities that EPA is now aware could potentially be affected by this action. Other types of entities not listed in the table could also be affected. To determine whether your entity would be affected by this action, you should carefully examine the applicability criteria in 40 CFR part 1090. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Outline of This Preamble

I. Background and Overview
II. Statutory Authority
III. Finding of Insufficient Supply for 2025 and Renewal of Extension of Effective Date for Ohio and the Nine Counties in South Dakota
A. Ohio
B. South Dakota
V. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review
B. Executive Order 14192: Unleashing Prosperity Through Deregulation
C. Paperwork Reduction Act (PRA)
D. Regulatory Flexibility Act (RFA)
E. Unfunded Mandates Reform Act (UMRA)
F. Executive Order 13132: Federalism
G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51
K. Congressional Review Act (CRA)
VI. Statutory Authority

I. Background and Overview

EPA first took regulatory action to control the volatility of gasoline in 1987.[1] Because higher gasoline volatility leads to higher evaporative emissions, EPA regulates the Reid vapor pressure (RVP)—a measure of fuel volatility—of gasoline during summer months in order to reduce volatile organic compound (VOC) emissions that contribute to the formation of smog (ground-level ozone).[2] The volatility of fuel depends on the refinery's decisions in formulating its gasoline. Subsequent to EPA's actions, Congress enacted the Clean Air Act (CAA) Amendments of 1990, which included volatility provisions for summer gasoline. These provisions generally codified EPA's regulatory approach, including establishing a 9.0 psi RVP standard for gasoline volatility in the summer.[3] Because blending ethanol into gasoline increases the volatility of the resulting fuel blend due to chemical differences between ethanol and gasoline, Congress also codified a 1-psi volatility waiver for gasoline containing between 9 and 10 percent ethanol (E10) (the ''1-psi waiver''), allowing such blends to have a 1.0-psi higher RVP than otherwise allowed for gasoline, consistent with EPA's prior regulatory approach.[4] This allowance only applies to gasoline-ethanol blends containing between 9 and 10 percent ethanol, and does not extend to gasoline-ethanol blends containing greater than 10 percent ethanol.[5] The 1-psi waiver also does not apply to reformulated gasoline (RFG).

In 1990, when Congress first codified the provision for the 1-psi waiver, a relatively small portion of the gasoline sold in the United States contained up to 10 percent ethanol. Today, almost all gasoline sold is E10, and thus, the 1-psi waiver increases the volatility of most gasoline introduced into commerce nationwide.

On February 29, 2024, EPA promulgated a rule removing the 1-psi waiver for E10 in Illinois, Iowa, Missouri, Minnesota, Nebraska, Ohio, South Dakota, and Wisconsin (the ''Applicable States'') pursuant to CAA section 211(h)(5) (the ''2024 final rule'').[6] CAA section 211(h)(5) requires EPA to remove the 1-psi waiver for E10 in a State upon request by the Governor of the State if accompanied by necessary supporting documentation.

In response to a request from the Governors of Ohio[7] and South Dakota,[8] EPA is renewing the extension of the effective date of the removal of the 1-psi waiver for Ohio and nine counties in South Dakota. For the reasons described in section III and consistent with the CAA, we find that there would be an insufficient supply of gasoline in Ohio and nine counties in South Dakota if the removal of the 1-psi waiver were to go into effect as currently required on April 28, 2025. Therefore, EPA is acting on its own motion to renew the extension of the effective date by one year to April 28, 2026, for the entire State of Ohio, and the following nine counties in South Dakota: Butte, Custer, Fall River, Harding, Lawrence, Meade, Oglala Lakota, Pennington, and Perkins (''the nine counties'').

II. Statutory Authority

Under CAA section 211(h)(5)(C), the regulations removing the 1-psi waiver shall take effect on the later of: (1) The first day of the first high ozone season for the area that begins after the date of receipt of the notification; or (2) 1 year after the date of receipt of the notification. The high ozone season is defined in EPA's regulations as ''June 1 through September 15 for retailers and [wholesale purchaser consumers (WPCs)], and May 1 through September 15 for all other persons.'' [9]

Further, under CAA section 211(h)(5)(C), the effective date can be extended if EPA, on its own motion or on petition from any person, after consultation with the Secretary of Energy, determines there would be an insufficient supply of gasoline in a State that has requested the removal of the 1-psi waiver for E10.[10] CAA section 211(h)(5)(C)(ii)(I)(aa) further provides that the effective date can be extended ''with respect to the area'' for not more than one year. Additionally, EPA may renew the extension for two additional

[1] See 52 FR 31274 (August 19, 1987); Subsequent regulatory actions occurred in 1989 and 1990. 54 FR 11868 (March 22, 1989); 55 FR 23658 (June 11, 1990).

[2] Gasoline must have volatility in the proper range to prevent driveability, performance, and emissions problems. If the volatility is too low, the gasoline will not ignite properly; if the volatility is too high, the vehicle may experience vapor lock. Importantly for this action, excessively high volatility also leads to increased evaporative emissions from the vehicle. Vehicle evaporative emission control systems are designed and certified on gasoline with a volatility of 9.0 psi RVP. Higher volatility gasoline may overwhelm the vehicle's evaporative control system, leading to a condition described as ''breakthrough'' of the cannister and mostly uncontrolled evaporative emissions.

[3] CAA section 211(h)(1). CAA section 211(h)(1) requires EPA to establish volatility requirements—that is, a restriction on RVP—during the high ozone season. To implement these requirements, EPA defines ''high ozone season'' or ''summer season'' at 40 CFR 1090.80 as ''the period from June 1 through September 15 for retailers and wholesale purchaser consumers, and May 1 through September 15 for all other persons, or an RVP control period specified in a state implementation plan if it is longer.'' In general practice by industry and for purposes of this preamble, the high ozone season is referred to as the ''summer'' or ''summer season'' and gasoline produced to be used during the high ozone season is called ''summer gasoline.'' EPA's regulations do not impose any volatility requirements on any type of blend of gasoline outside of the summer season.

[4] CAA section 211(h)(4).

[5] The statutory 1-psi waiver is codified at 40 CFR 1090.215(a).

[6] 89 FR 14760.

[7] Petition from Ohio Governor Mike DeWine (January 24, 2025).

[8] Petition from South Dakota Governor Larry Rhoden (February 25, 2025).

[9] 40 CFR 1090.80. We note that given the current definition of ''high ozone season,'' the later date will always be one year after receipt of the request from a governor.

[10] 89 FR 14768. CAA section 211(h)(5)(C)(ii).

periods, each of which shall not exceed one year.[11]

In the 2024 final rule, EPA viewed the phrase ''insufficient supply of gasoline'' as calling for a demonstration that gasoline supply disruptions would result from removal of the 1-psi waiver, such that the necessary quantities of gasoline may not be available in a State at the time they are required. EPA further posited that this demonstration was particularly appropriate because removal of the 1-psi waiver would call for a different type of gasoline to be physically produced and transported to and within the Applicable States. We also explained that our view was consistent with the historical application of similar or related provisions, and congressional intent.[12]

Regarding the requisite determination of ''insufficient supply,'' under CAA section 211(h)(5)(C)(ii)(I), in the 2024 final rule, we also explained that our analysis of ''insufficient supply'' should be ''in the State'' petitioning for the removal of the 1-psi waiver. That is, if there was insufficient supply only in a single State, we could extend the effective date for that State only.[13] CAA section 211(h)(5)(C) explicitly contemplates the ''supply of gasoline in the State.'' Where the Governor's request for extension of the effective date relates to either the entire State or only certain portions of a State, EPA would thus be able to extend the effective date in both of those areas if the requisite determination of insufficient supply of gasoline can be made. It also bears noting that CAA section 211(h)(5) allows for removal of the 1-psi waiver if it ''will increase emissions that contribute to air pollution in any area of the State.'' [14]

Therefore, our analysis of insufficient supply of gasoline, which is contained in section III, considered State-specific factors and examined the supply issues in Ohio and the nine counties in South Dakota. We have also reviewed the present extension requests for demonstrations of supply disruptions in Ohio and the nine counties in South Dakota because the removal of the 1-psi waiver would call for a different type of gasoline to be physically produced and transported to and within Ohio and the nine counties in South Dakota. Our analysis therefore further considered all stages of the gasoline production and distribution system (*i.e.,* from the refinery to the retail outlet in Ohio and the nine counties in South Dakota). In sum, we have determined that there is insufficient supply of gasoline in Ohio and the nine counties in South Dakota for purposes of our extension of the effective date of the removal of the 1-psi waiver in Ohio and the nine counties in South Dakota.[15]

III. Finding of Insufficient Supply for 2025 and Renewal of Extension of Effective Date for Ohio and the Nine Counties in South Dakota

In this section we discuss our finding of insufficient supply of gasoline in Ohio and the nine counties in South Dakota for the summer of 2025, which underpins the decision to renew the extension of the effective date by one year to April 28, 2026.

In the 2024 final rule, we determined that either a 2023 or 2024 implementation date would result in insufficient supply of gasoline and finalized an effective date of April 28, 2025, for removal of the 1-psi waiver for all Applicable States.[16] After the issuance of the 2024 final rule, the Governors of Ohio [17] and South Dakota [18] submitted petitions requesting a delay of the effective date from 2025 until 2026.[19] After consideration of both petitions, EPA is acting on its own motion to renew the extension of the effective date of the removal of the 1-psi waiver for Ohio and the nine counties in South Dakota by one year from April 28, 2025, to April 28, 2026. Under CAA section 211(h)(5)(C)(ii)(I)(bb), this is the latest possible effective date for the removal of the 1-psi waiver for Ohio and the nine counties in South Dakota. Additionally, we have consulted with the Department of Energy, consistent with the CAA section 211(h)(5)(C)(ii)(I).[20]

CAA section 211(h)(5)(C)(ii)(I) requires a determination of insufficient supply of gasoline to renew the extension of the effective date of the removal of the 1-psi waiver. In our prior actions, to make the requisite determination of insufficient supply of gasoline, we assessed the following supply constraints: (1) Low gasoline inventories; [21] (2) The limited time available for coordination between various parties to make the necessary physical changes to the gasoline production and distribution infrastructure; [22] and (3) The physical loss of supply necessary to produce low-RVP gasoline.[23] We also considered the following: (1) The lack of sufficient time to make the capital investments and physical changes to refineries and the fuel distribution system; and (2) Less flexibility within the fuel distribution system than had been anticipated to adequately mitigate the supply reduction until such time as the capital and physical changes can be made.[24]

We have considered State-specific factors that inform two of the bases we considered in our past actions. For Ohio, we have considered the arguments the Governor of Ohio makes in his petition concerning the lack of time to make capital investments and required physical changes. For South Dakota, we have considered the arguments the Governor of South Dakota makes in his petition concerning the physical loss of supply necessary to produce low-RVP gasoline due to a recent extraordinary event at a refinery that supplies gasoline to western South Dakota. Based on our review of these considerations, EPA is acting on its own motion to renew the extension of the effective date for the removal of the 1-psi waiver by one year to the April 28,

[11] CAA section 211(h)(5)(C)(ii)(I)(aa).

[12] For a complete discussion of our view of the phrase ''insufficient supply of gasoline,'' as well as our historical treatment of related provisions in CAA section 211, see 89 FR 14768–69.

[13] 89 FR 14769.

[14] For our discussion on areas where the RVP standards apply, see 89 FR 14764–68.

[15] Other areas in South Dakota continue to be subject to the April 28, 2025, effective date. Table 1 to 40 CFR 1090.215(b)(3)(ii).

[16] 89 FR 14769–70. Our detailed finding of insufficient supply for 2023 and 2024 can be found at 88 FR 13767 (March 6, 2023) and 89 FR 14769–71 (February 29, 2024), respectively. EPA had originally proposed an effective date of April 28, 2024.

[17] Petition from Ohio Governor Mike DeWine (January 24, 2025).

[18] Petition from South Dakota Larry Rhoden (February 25, 2025).

[19] EPA also received petitions from other stakeholders: Petition from CountryMark (October 25, 2024); Petition from American Fuel and Petrochemical Manufacturers (AFPM) (November 7, 2024); Petition from American Petroleum Institute (API) (November 8, 2024); Petition from Kansas Governor Laura Kelly to EPA (February 6, 2025). To the extent those petitions also requested a delay for Ohio and the nine counties in South Dakota, this final rule is intended to resolve those requests.

[20] See ''Documentation of Consultation between EPA and DOE,'' available in the docket for this action.

[21] We are not relying on this consideration to justify our determination of insufficient supply of gasoline in Ohio and the nine counties in South Dakota because low gasoline inventories are not a significant factor.

[22] We are not relying on this consideration to justify our determination of insufficient supply of gasoline in Ohio and the nine counties of South Dakota because although there are some ongoing supply concerns, we continue to believe that refineries, pipelines, and terminals could have coordinated and increased flexibility within the fuel distribution system after EPA finalized the removal of the 1-psi waiver in February 2024.

[23] We are relying on this factor to justify our determination of insufficient supply of gasoline in only the nine counties in South Dakota.

[24] Our detailed finding of insufficient supply for 2023 and 2024 can be found at 88 FR 13767 (March 6, 2023), and 89 FR 14769–71 (February 29, 2024), respectively.

2026, because its implementation for the summer of 2025 would result in insufficient supply of gasoline in Ohio and the nine counties in South Dakota.

A. Ohio

The Governor of Ohio requested the delay of the effective date for the removal of the 1-psi waiver until 2026, indicating that the petroleum industry in Ohio continues to express concerns ''about their ability to install the necessary infrastructure to comply with the federal rule by the effective date.'' [25] As previously discussed, in the 2024 final rule, we considered the absence of necessary infrastructure and thus, the lack of time for refiners and gasoline distributors to make capital investments and physical changes would likely result in insufficient supply of gasoline. Thus, we view the absence of necessary infrastructure to supply gasoline to Ohio as a valid consideration for our determination of insufficient supply for the summer of 2025, as described further below. In considering the absence of necessary infrastructure, we also took note of Ohio's geographic location as it relates to the other seven States that petitioned for removal of the 1-psi waiver because Ohio is geographically isolated from these other states. In our view, this geographic isolation could uniquely affect Ohio, as parts of the State receive a significant amount of gasoline from refineries and pipelines located in States that have not petitioned for removal of the 1-psi waiver. Refineries in these States—such as Indiana—supply gasoline not just to Ohio but also to their own States, and thus would need to produce multiple gasoline blends. For instance, CountryMark—a refiner that operates a refinery in Mt. Vernon, Indiana—primarily distributes its gasoline to Indiana, but also supplies Ohio and Illinois, both of which petitioned for removal of the 1-psi waiver. CountryMark has also petitioned EPA for a delay of the removal of the 1-psi waiver in part due to concerns about supplying Ohio and surrounding States.[26] In its petition, CountryMark stated that the Mt. Vernon refinery's existing infrastructure would hinder the logistics of producing and supplying two grades of gasoline to all its customers and explicitly stated that while it plans to supply Illinois, it would ''most likely not be able to supply [its] members in Ohio.''

As also discussed in the 2024 final rule, capital investments are necessary for most refiners and fuel distributors supplying gasoline to the Applicable States to accommodate a transition to low-RVP gasoline in those States.[27] We explained that these capital investments typically require time to come online. For example, projects to debottleneck existing refinery units typically require 2–2.5 years to engineer, design, purchase, permit, and install. We also assumed that even if these refiners and fuel distributors began the planning process for either debottlenecking a refinery unit or installing a gasoline storage tank after the first State filed its petition in April 2022, or after EPA proposed to remove the 1-psi waiver for the Applicable States in early 2023, there would be insufficient time prior to the summer of 2024 to complete the desired capital additions.[28]

Additionally, we explained that refiners, pipeline operators, and terminal operators had indicated that many of the needed capital investments were not initiated in 2022 due in part to: (1) The uncertainty created by several States rescinding their petitions in 2022; (2) The emergency fuel waivers we issued under CAA section 211(c)(4)(C)(ii)(I) extending the 1-psi waiver to E15 during the 2023 summer season; [29] and (3) Potential congressional action that would extend the 1-psi waiver to E15 nationwide.[30]

We continue to believe that refiners like CountryMark that supply gasoline to Ohio are unlikely to complete the necessary capital investments by the summer of 2025 because they were not initiated by 2022. We also believe that these refiners might not have made the necessary capital investments because they were concerned that the long-anticipated congressional action to extend the 1-psi waiver to E15 nationwide would negate any capital investments made. In sum, we believe that the lack of capital investments, which was also identified by the Governor of Ohio, has contributed to the inability for the petroleum industry to supply the Ohio gasoline market with low-RVP gasoline.

Our determination of insufficient supply of gasoline in Ohio for the summer of 2025 is premised on the absence of necessary infrastructure and thus the lack of time for refiners and gasoline distributors to make capital investments and physical change, which is further exacerbated by Ohio's unique status of not bordering any of the other Applicable States.

B. South Dakota

The Governor of South Dakota requested a delay of the effective date for the removal of the 1-psi waiver in nine counties until 2026, and referenced an unexpected disruption in supply to western South Dakota as support.[31] Specifically, in February 2025, an explosion at Wyoming Refining Company's Newcastle, Wyoming refinery—which supplies the majority of its fuel to western South Dakota [32]—caused the refinery to be idled indefinitely.[33] This supply disruption will likely impact the nine counties in South Dakota and make distribution of low-RVP gasoline to the area difficult for the summer of 2025. Wyoming refineries, including the Newcastle refinery, supply gasoline to western South Dakota through a pipeline.[34] We view this reduction and ongoing elimination of gasoline supply from that pipeline due to the refinery outage as contributing to the physical loss of supply necessary to produce low-RVP gasoline. Requiring the use of low-RVP gasoline in the nine counties in South Dakota for the summer of 2025 would

[25] Petition from Ohio Governor Mike DeWine (January 24, 2025).

[26] Petition from CountryMark (October 25, 2024).

[27] 89 FR 14764–68. We discussed necessary investments for the storage of additional types and grades of gasoline at refineries, pipeline breakout tanks, and downstream terminals, storage of excess butane and light straight-run naphtha (LSR), and associated measures for piping, pumping, and spill containment. We also anticipated that refineries would need to debottleneck debutanizers and octane-producing units to enable the production of low-RVP gasoline.

[28] Capital grassroots projects typically require 3–4 years to engineer, design, purchase, permit and install. Smaller projects that can ''debottleneck'' individual refinery units (*e.g.,* replacing a furnace, heat exchanger, or reactor) typically require 2–2.5 years to complete, while much smaller projects (*e.g.,* replacing a valve or pump or adding or increasing the size of piping) may be designed and completed in a year or less. These types of capital investments can help a refinery produce additional low-RVP gasoline. Shell, ''Thriving in the new reality: Refinery revamp projects FAQ; Shell Catalysts and Technologies,'' *https://www.shell.com/business-customers/catalysts-technologies/resources-library/refinery-revamp-faq.html.* 89 FR 14771.

[29] From April 28, 2023, to August 28, 2023, EPA issued a waiver under CAA section 211(c)(4)(C)(ii)(I) that facilitated E15 sales during the summer of 2023.

[30] See, *e.g.,* comments from Magellan (Docket Item No. EPA–HQ–OAR–2022–0513–0042), API (Docket Item No. EPA–HQ–OAR–2022–0513–0056), and HF Sinclair (Docket Item No. EPA–HQ–OAR–2022–0513–0076).

[31] Petition from South Dakota Larry Rhoden (February 25, 2025).

[32] Par Pacific, ''Wyoming Refining Company Overview,'' *https://www.parpacific.com/operations/refining-logistics/wyoming.*

[33] Wyoming Tribune Eagle ''Cause of refinery explosion near Newcastle under investigation,'' February 17, 2025. *https://www.wyomingnews.com/news/local_news/cause-of-refinery-explosion-near-newcastle-under-investigation/article_1280f7e8-ed85-11ef-8874-fb1ef9beeead.html.*

[34] Figure 2.C–2, ''Request from States for Removal of Gasoline Volatility Waiver: Technical Support Document and Cost Analysis,'' EPA–420–R–24–002, February 2024.

likely result in a significant gasoline supply shortage. Therefore, the physical loss of supply resulting from the explosion at the Newcastle refinery, which supplies most of its fuel to the nine counties in South Dakota, is the basis for our determination that there will be an insufficient supply of gasoline in this area of South Dakota for the summer of 2025.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders*.

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action as defined in Executive Order 12866 and was therefore not subject to a requirement for Executive Order 12866 review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action alleviates regulatory burden as described in Executive Order 14192.

C. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2060–0731. This action extends the effective date for the removal of the 1-psi waiver for Ohio and the nine counties in South Dakota. It does not alter practices used by the existing recordkeeping and reporting requirements, nor does it change the number or type of respondents and the manner in which they satisfy the fuel designation and product transfer document requirements.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements because EPA has invoked the APA ''good cause'' exemption under 5 U.S.C. 553(b). EPA's discussion of the good cause finding for this rule, including the basis for that finding, is discussed in the **SUPPLEMENTARY INFORMATION** section.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action implements mandates specifically and explicitly set forth in CAA section 211(h)(5) without the exercise of any policy discretion by EPA.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects 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.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. This action will be implemented at the State level and would affect gasoline refiners, blenders, marketers, distributors, and importers. Tribal governments would be affected only to the extent they produce, purchase, and use gasoline. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it implements specific standards established by Congress in statutes.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a ''significant energy action'' because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy. This action extends the effective date for the removal of the 1-psi waiver for Ohio and the nine counties in South Dakota. As discussed in the 2024 final rule, removal of the 1-psi waiver will require changes to the production and distribution of gasoline, which is expected to have some short- and long-term impacts on gasoline supply and cost in the affected areas, but we believe the market will be able to accommodate the change without any significant disruption.[35]

J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This action does not involve technical standards.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and 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).

VI. Statutory Authority

Statutory authority for this action comes from sections 211(h) and 301(a) of the Clean Air Act, as amended; 42 U.S.C. 7545(h) and 7601(a). Statutory authority for the rulemaking procedures followed in this action is provided by Administrative Procedure Act (APA) section 553(b)(B), 5 U.S.C. 553(b)(B) (good cause exception to notice and comment rulemaking).

List of Subjects in 40 CFR Part 1090

Environmental protection, Administrative practice and procedure, Air pollution control, Fuel additives, Gasoline, Petroleum, Renewable fuel.

Lee Zeldin,

Administrator.

For the reasons set forth in the preamble, EPA amends 40 CFR part 1090 as follows:

PART 1090—REGULATION OF FUELS, FUEL ADDITIVES, AND REGULATED BLENDSTOCKS

■ 1. The authority citation for part 1090 continues to read as follows:

Authority: 42 U.S.C. 7414, 7521, 7522–7525, 7541, 7542, 7543, 7545, 7547, 7550, and 7601.

Subpart C—Gasoline Standards

■ 2. Amend § 1090.215 by revising table 2 to paragraph (b)(3)(ii) to read as follows:

§ 1090.215 Gasoline RVP standards.

* * * * *

(b) * * *

(3) * * *

[35] 89 FR 14764–68.

(ii) * * *

TABLE 2 TO PARAGRAPH (b)(3)(ii)—AREAS EXCLUDED FROM THE ETHANOL 1.0 psi WAIVER

State	Counties	Effective date
Illinois	All	April 28, 2025.
Iowa	All	April 28, 2025.
Minnesota	All	April 28, 2025.
Missouri	All	April 28, 2025.
Nebraska	All	April 28, 2025.
Ohio	All	April 28, 2026.
South Dakota	All except Butte, Custer, Fall River, Harding, Lawrence, Meade, Oglala Lakota, Pennington, and Perkins.	April 28, 2025.
South Dakota	Butte, Custer, Fall River, Harding, Lawrence, Meade, Oglala Lakota, Pennington, and Perkins.	April 28, 2026.
Wisconsin	All	April 28, 2025.

* * * * *

[FR Doc. 2025–04751 Filed 3–19–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 160426363–7275–02; RTID 0648–XE727]

Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; 2024–2025 Closure of Commercial Run-Around Gillnet Fishery for King Mackerel

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes commercial harvest of king mackerel using run-around gillnet gear in the southern zone of the Gulf of Mexico (Gulf) exclusive economic zone (EEZ). NMFS has determined that the commercial landings of king mackerel harvested by run-around gillnet gear in the southern zone have reached the annual catch limit (ACL). Therefore, NMFS implements an accountability measure (AM) and closes the southern zone to commercial king mackerel fishing using run-around gillnet gear in the Gulf EEZ. This closure is necessary to protect the Gulf king mackerel resource.

DATES: The closure is effective from 12 p.m. local time on March 20, 2025, until 6 a.m. local time on January 20, 2026.

FOR FURTHER INFORMATION CONTACT: Daniel Luers, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *daniel.luers@noaa.gov.*

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish in the Gulf includes king mackerel, Spanish mackerel, and cobia, and is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils and approved by the Secretary of Commerce. NMFS implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights for the Gulf migratory group of king mackerel (Gulf king mackerel) apply as either round or gutted weight.

On January 20, 2025, President Trump issued Executive Order 14172 to rename the Gulf of Mexico as the Gulf of America. However, the Magnuson-Stevens Act contains several references to the Gulf of Mexico, including a provision at 16 U.S.C. 1852(a)(1)(E) that establishes the ''Gulf of Mexico Fishery Management Council'' and specifies responsibilities vis-a-vis ''fisheries in the Gulf of Mexico seaward of'' specified States. In this action, NMFS is using terminology consistent with wording in the Magnuson-Stevens Act.

The commercial fishery for Gulf king mackerel is divided into western, northern, and southern zones. The southern zone for Gulf king mackerel encompasses an area of the Gulf EEZ off Collier and Monroe Counties in south Florida, south of a line extending due west from the boundary of Lee and Collier Counties on the Florida west coast, and south of a line extending due east from the boundary of Monroe and Miami-Dade Counties on the Florida east coast (50 CFR 622.369(a)(1)(iii)). For an illustration of the king mackerel zones, see Figure 1 in Appendix G to part 622 at *https://www.ecfr.gov/current/title-50/chapter-VI/part-622/appendix-Appendix%20G%20to%20Part%20622.*

The commercial ACL for Gulf king mackerel is divided into separate ACLs for hook-and-line and run-around gillnet gear. The use of run-around gillnets for king mackerel is restricted to the Gulf southern zone. For the 2024–2025 fishing year, the king mackerel commercial gillnet quota (equivalent to the commercial gillnet ACL) is 671,328 pounds (304,509 kilograms) (50 CFR 622.384(b)(1)(iii)(B)). The fishing year for the harvest of Gulf king mackerel in the southern zone is from July 1 through June 30 (50 CFR 622.7(b)(1)(i)).

Regulations at 50 CFR 622.388(a)(1) require NMFS to close any component of the king mackerel commercial sector when NMFS projects that commercial landings have reached or are projected to reach the applicable quota by filing a notification to that effect with the Office of the Federal Register. NMFS has determined that for the 2024–2025 fishing year, landings have reached the commercial quota for Gulf king mackerel harvested by vessels using run-around gillnet gear in the southern zone. Accordingly, commercial fishing using such gear in the southern zone is closed at 12 p.m. local time on March 20, 2025. Vessel operators issued a Federal commercial permit to harvest Gulf king mackerel using run-around gillnet gear in the southern zone must have landed ashore and bartered, traded, or sold such king mackerel prior to 12 p.m. local time on March 20, 2025.

Persons on a vessel using hook-and-line gear in the southern zone for which a Federal commercial permit for Gulf king mackerel has been issued, except persons on such a vessel also issued a Federal commercial permit to harvest Gulf king mackerel using run-around gillnet gear, may fish for or retain Gulf king mackerel unless the southern zone commercial quota for hook-and-line gear has been met and the hook-and-line component of the commercial sector has been closed. In addition, as long as the recreational sector for Gulf king

mackerel is open (50 CFR 622.384(e)(1)), a person on a vessel that has a valid Federal commercial gillnet permit for king mackerel may continue to retain king mackerel under the recreational bag and possession limits set forth in 50 CFR 622.382(a)(1)(ii) and (a)(2).

During the commercial closure, Gulf king mackerel harvested using run-around gillnet gear in the southern zone may not be purchased or sold. This prohibition does not apply to Gulf king mackerel harvested using run-around gillnet gear in the southern zone that were harvested, landed ashore, and sold prior to the closure and were held in cold storage by a dealer or processor (50 CFR 622.384(e)(2)).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.388(a)(1), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, 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 is unnecessary and contrary to the public interest. Such procedure is unnecessary because the regulations associated with the commercial quota and associated AM for Gulf king mackerel have already been subject to notice and public comment, and all that remains is to notify the public of the closure. Prior notice and opportunity for public comment on this action is contrary to the public interest because of the need to immediately implement the closure to protect the Gulf king mackerel resource. The capacity of the commercial fishing fleet allows for rapid harvest of the commercial quota, and any delay in the closure could result in the commercial quota being exceeded. Prior notice and opportunity for public comment would require time and would potentially result in a harvest that exceeds the commercial quota.

For the reasons just stated, there is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness of this action.

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

Dated: March 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04783 Filed 3–17–25; 4:15 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 231101–0256; RTID 0648–XE647]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2025 Recreational Season Announcement and Closure for Golden Tilefish in the South Atlantic

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces the 2025 recreational fishing season for golden tilefish in the exclusive economic zone (EEZ) of the South Atlantic. Announcing the length of the recreational fishing season is the accountability measure (AM) for the recreational sector. NMFS estimates that recreational landings of golden tilefish will soon reach the recreational annual catch limit (ACL) for the 2025 fishing year. Accordingly, NMFS announces the closure date for the recreational harvest of golden tilefish in the South Atlantic EEZ to protect the golden tilefish resource.

DATES: This temporary rule is effective from March 21 through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Karla Gore, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *karla.gore@noaa.gov.*

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes golden tilefish and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and NMFS, approved by the Secretary of Commerce, and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Regulations at 50 CFR 622.193(a)(2) specify the 2025 recreational ACL for golden tilefish of 2,694 fish, and the recreational AM. The recreational AM states that NMFS will project the length of the recreational fishing season for golden tilefish based on catch rates from the previous fishing year and announce the end date of the recreational season [50 CFR 622.193(a)(2)]. The fishing year and season for recreational harvest of golden tilefish started on January 1, 2025. Data from the NMFS Southeast Fisheries Science Center informed NMFS' projection that recreational landings will reach the recreational ACL for 2025 by March 21. Therefore, NMFS announces that the last day of the recreational season for golden tilefish is March 20, 2025. The recreational season and harvest of golden tilefish in the South Atlantic EEZ is closed starting on March 21, 2025, and continues to be closed through the end of the calendar year. During the recreational closure, the bag and possession limits for golden tilefish in or from the South Atlantic EEZ are zero. The next recreational fishing year and season for golden tilefish begins on January 1, 2026.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(a)(2), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, 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 are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule that established the recreational ACL and AM for golden tilefish has already been subject to notice and comment, and all that remains is to notify the public of the end date of the recreational season. Such procedures are contrary to the public interest because of the need to immediately implement this action to protect the golden tilefish stock. The recreational ACL will soon be reached and prior notice and opportunity for public comment would require additional time, potentially resulting in a harvest well in excess of the established ACL.

For the reasons just stated, there is also good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: March 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04788 Filed 3–17–25; 4:15 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 240227–0061; RTID 0648–XE588]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 50 feet (15.2 meters (m)) length overall using hook-and-line (HAL) gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2025 total allowable catch (TAC) apportioned to catcher vessels less than 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 17, 2025 through 1200 hours, A.l.t., June 10, 2025.

FOR FURTHER INFORMATION CONTACT: Abby Jahn, 907–586–7416.

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

The A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels less than 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA is 1,390 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024) and the inseason adjustment (89 FR 103698, December 19, 2024).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels less than 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,190 mt and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for catcher vessels less than 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA.

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

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 prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific cod by catcher vessels less than 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 17, 2025.

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 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04785 Filed 3–17–25; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 240227–0061; RTID 0648–XE583]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2025 total allowable catch (TAC) of Pacific cod by catcher vessels using trawl gear in the Western Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 17, 2025, through 1200 hours, A.l.t., June 10, 2025.

FOR FURTHER INFORMATION CONTACT: Adam Zaleski, 907–586–7228.

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

The A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels using trawl gear in the Western Regulatory Area of the GOA is 1,856 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024) and inseason adjustment (89 FR 103698, December 19, 2024).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels using trawl gear in the Western Regulatory Area of the GOA will soon be reached.

Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,856 mt and is setting aside the remaining 0 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Western Regulatory Area of the GOA.

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

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 prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific cod by catcher vessels using trawl gear in the Western Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 17, 2025.

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 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04784 Filed 3–17–25; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 240227–0061; RTID 0648–XE589]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels greater than or equal to 50 feet (15.2 meters (m)) length overall using hook-and-line (HAL) gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2025 Pacific cod total allowable catch (TAC) apportioned to catcher vessels greater than or equal to 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 17, 2025, through 1200 hours, A.l.t., June 10, 2025.

FOR FURTHER INFORMATION CONTACT: Abby Jahn, 907–586–7416.

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

The A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels greater than or equal to 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA is 837 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024) and the inseason adjustment (89 FR 103698, December 19, 2024).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the A season allowance of the 2025 Pacific cod TAC apportioned to catcher vessels greater than or equal to 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 637 mt and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for catcher vessels greater than or equal to 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA.

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

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 prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific cod by catcher vessels greater than or equal to 50 feet (15.2 m) length overall using HAL gear in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 17, 2025.

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 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04786 Filed 3–17–25; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0036; RTID 0648–XE622]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher/processors using pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season apportionment of the 2025 Pacific cod total allowable catch (TAC) allocated to catcher/processors using pot gear in the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 17, 2025, through 1200 hours, A.l.t., September 1, 2025.

FOR FURTHER INFORMATION CONTACT: Andrew Olson, 907–586–7228.

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

The A season apportionment of the 2025 Pacific cod TAC allocated to catcher/processors using pot gear in the BSAI is 966 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and inseason adjustment (89 FR 105478, December 27, 2024).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season apportionment of the 2025 Pacific cod TAC allocated as a directed fishing allowance to catcher/processors using pot gear in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by pot catcher/processors in the BSAI.

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

Classification

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 prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific cod by catcher/processors using pot gear in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 17, 2025.

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 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04787 Filed 3–17–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 53
Thursday, March 20, 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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2024–0216]

RIN 3150–AL25

List of Approved Spent Fuel Storage Casks: NAC International, Inc., MAGNASTOR® Storage System, Certificate of Compliance No. 1031, Amendment No. 15

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its spent fuel storage regulations by revising the NAC International, Inc. MAGNASTOR® Storage System listing within the ''List of approved spent fuel storage casks'' to include Amendment No. 15 to Certificate of Compliance No. 1031. Amendment No. 15 revises the certificate of compliance to add a new variation of the Lightweight MAGNASTOR® Transfer Cask design, add a new concrete cask design, increase the maximum system head load capacity, add new loading patterns, add a thermal shunt for short loading patterns, remove the 5 percent burnup penalty, increase Passive MAGNASTOR® Transfer Cask heat load, add two new pressurized-water reactor fuel types to support future operations, modify the transportable storage canister lid to allow additional clearance near the top center of the basket, and correct and clarify principal design criteria, operating procedures, and the acceptance criteria and maintenance program.

This amendment also makes corresponding revisions to previously approved drawings for the concrete cask, Technical Specifications Appendix A and Appendix B, specific chapters of the final safety analysis report, and several license drawings.

DATES: Submit comments by April 21, 2025. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Submit your comments, identified by Docket ID NRC–2024–0216, at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* call or email the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

You can read a plain language description of this proposed rule at *https://www.regulations.gov/docket/NRC-2024-0216.* 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: Irene Wu, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–1951, email: *Irene.Wu@nrc.gov* and Donald Habib, telephone: 301–415–1035, email: *Donald.Habib@nrc.gov.* Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Obtaining Information and Submitting Comments
II. Rulemaking Procedure
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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0216 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–2024–0216. Address questions about NRC dockets to Helen Chang, telephone: 301–415–3228, email: *Helen.Chang@nrc.gov.* For technical questions contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *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, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *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, 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–2024–0216 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. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the **Federal Register**. Adequate

protection of public health and safety continues to be reasonably assured. The amendment to the rule will become effective on June 3, 2025. However, if the NRC receives any significant adverse comment by April 21, 2025, then the NRC will publish a document that this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register** or as otherwise appropriate. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule, certificate of compliance, or technical specifications.

For a more detailed discussion of the proposed rule changes and associated analyses, see the direct final rule published in the Rules and Regulations section of this issue of the **Federal Register**.

III. Background

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that ''[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.'' Section 133 of the Nuclear Waste Policy Act states, in part, that ''[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.''

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR) entitled ''General License for Storage of Spent Fuel at Power Reactor Sites'' (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled ''Approval of Spent Fuel Storage Casks,'' which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on November 21, 2008 (73 FR 70587), that approved the NAC International, Inc. MAGNASTOR® Storage System design and added it to the list of NRC-approved cask designs in § 72.214, ''List of approved spent fuel storage casks,'' as Certificate of Compliance No. 1031.

IV. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998 (63 FR 31885). The NRC requests comment on this proposed rule with respect to clarity and effectiveness of the language used.

V. Availability of Documents

The documents identified in the following table are available to interested persons as indicated.

Document	ADAMS accession No./ web link/**Federal Register** citation
Proposed Certificate of Compliance and Proposed Technical Specifications	
Proposed Certificate of Compliance No. 1031, Amendment No. 15	ML24340A131.
Proposed Certificate of Compliance No. 1031, Amendment No. 15, Appendix A: Technical Specifications and Design Features.	ML24340A132.
Proposed Certificate of Compliance No. 1031, Amendment No. 15, Appendix B: Approved Contents	ML24340A133.
Preliminary Safety Evaluation Report, Certificate of Compliance No. 1031, Amendment No. 15	ML24340A134.
NAC International, Inc. MAGNASTOR® Storage System Amendment No. 15 Request Documents	
NAC International, Inc., Submission of an Amendment Request for the MAGNASTOR® Cask System, Amendment No. 15, dated August 29, 2023.	ML23241B052 (package).
NAC International, Inc., Supplement to the Amendment Request No. 15 for the MAGNASTOR® Cask System, dated October 26, 2023.	ML23300A137 (package).
NAC International, Inc., Submission of Responses to the NRC's Request for Additional Information for MAGNASTOR® Cask System, Amendment No. 15, dated October 8, 2024.	ML24283A084 (package).
NAC International, Inc., Submission of Data Files to Support the NRC's Review of MAGNASTOR® Amendment No. 15, dated October 8, 2024.	ML24284A267.
NAC International, Inc., Submission of a Supplement for Responses to the NRC's Request for Additional Information for MAGNASTOR® Cask System, Amendment No. 15, dated December 9, 2024.	ML24344A171 (package).
Other Documents	
Rulemaking Memorandum for Amendment No. 15 for the MAGNASTOR® Storage System, dated January 12, 2025	ML24340A130.

Document	ADAMS accession No./ web link/**Federal Register** citation
Final Rule, ''Storage of Spent Fuel in NRC-Approved Storage Casks at Power Reactor Sites,'' published July 18, 1990.	55 FR 29181.
Final Rule, ''List of Approved Spent Fuel Storage Casks: MAGNASTOR Addition,'' published November 21, 2008 ...	73 FR 70587.
Revision to Policy Statement, ''Agreement State Program Policy Statement; Correction,'' published October 18, 2017.	82 FR 48535.
Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998	63 FR 31885.

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at *https://www.regulations.gov* under Docket ID NRC–2024–0216. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2024–0216); (2) click the ''Subscribe'' link; and (3) enter an email address and click on the ''Subscribe'' link.

Dated: March 14, 2025.

For the Nuclear Regulatory Commission.

Mirela Gavrilas,

Executive Director for Operations.

[FR Doc. 2025–04650 Filed 3–19–25; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0352; Project Identifier MCAI–2023–00876–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model EC225LP helicopters. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the airworthiness limitations section (ALS) of the existing maintenance manual (MM) or instructions for continued airworthiness (ICAs) and the existing approved maintenance or inspection program, as applicable, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by May 5, 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–2025–0352; 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; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find the EASA material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N 321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–0352.

FOR FURTHER INFORMATION CONTACT: Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4116; email: *Adam.Hein@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–2025–0352; Project Identifier MCAI–2023–00876–R'' 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 Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4116; email: *Adam.Hein@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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023–0141, dated July 14, 2023 (EASA AD 2023–0141) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Model EC 225 LP helicopters. The MCAI states that new or more restrictive airworthiness limitations have been developed. EASA advises that airworthiness limitations and certification maintenance instructions are identified as mandatory for continued airworthiness and that Revision 14 of AH [Airbus Helicopters] EC 225 LP ALS, dated June 1, 2022, has been issued to specify all service life limits and maintenance tasks for EC 225 LP helicopters and separate the airworthiness limitations from the Master Servicing Manual (M.S.M.). The FAA is issuing this proposed AD to prevent a failure of critical parts and primary structural components, which if not addressed could result in loss of control of the helicopter.

The FAA is proposing this AD to address this unsafe condition. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0352.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0141, which requires replacing components before exceeding their life limits and accomplishing all applicable maintenance tasks within thresholds and intervals specified in the ALS as defined in EASA AD 2023–0141. Depending on the results of the maintenance tasks, EASA AD 2023–0141 requires accomplishing corrective action(s) or contacting Airbus Helicopters for approved instructions and accomplishing those instructions.

Additionally, EASA AD 2023–0141 requires revising the Aircraft Maintenance Programme (AMP) by incorporating the limitations, tasks, and associated thresholds and intervals described in the specified ALS, as applicable. Revising the AMP constitutes terminating action for the requirement to record accomplishment of the actions of replacing components before exceeding their life limits and accomplishing maintenance tasks within thresholds and intervals specified in the applicable ALS as required by EASA AD 2023–0141 for demonstration of AD compliance on a continued basis.

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

These products have been approved by the aviation authority of another country and are 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 and material referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require the actions specified in EASA AD 2023–0141, described previously, as incorporated by reference, 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 2023–0141 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023–0141 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 2023–0141 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 2023–0141. Material referenced in EASA AD 2023–0141 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0352 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 29 helicopters of U.S. registry. Labor rates are estimated at $85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

Revising the ALS of the existing MM or ICAs and the existing approved maintenance or inspection program, as applicable, would take 1 work-hour, for an estimated cost of $85 per helicopter and $2,465 for the U.S. fleet.

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 adding the following new airworthiness directive:

Airbus Helicopters: Docket No. FAA–2025–0352; Project Identifier MCAI–2023–00876–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 5, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model EC225LP helicopters, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Unsafe Condition

This AD was prompted by new and more restrictive airworthiness limitations. The FAA is issuing this AD to prevent failure of critical parts and primary structural components, which if not addressed, could result in loss of control of the helicopter.

(f) Compliance

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

(g) Required Action

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2023–0141, dated July 14, 2023 (EASA AD 2023–0141).

(h) Exceptions to EASA AD 2023–0141

(1) Where EASA AD 2023–0141 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt paragraphs (1), (2), (4) and (5) of EASA AD 2023–0141.

(3) Where paragraph (3) of EASA AD 2023–0141 specifies ''Within 12 months after the effective date of this AD, revise the approved AMP,'' this AD requires replacing that text with ''Within 30 days after the effective date of this AD, revise the airworthiness limitations section of the existing maintenance manual or instructions for continued airworthiness and the existing approved maintenance or inspection program, as applicable.''

(4) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2023–0141 is on or before the applicable ''limitations'' and ''associated thresholds'' as incorporated by the requirements of paragraph (3) of EASA AD 2023–0141 or within 30 days after the effective date of this AD, whichever occurs later.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0141.

(i) Provisions for Alternative Actions and Intervals

After the action required by paragraph (g) of this AD has been done, no alternative actions and associated thresholds and intervals, including life limits, are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2023–0141.

(j) Alternative Methods of Compliance (AMOCs)

(1) 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 local Flight Standards District 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 (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 local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4116; email: *Adam.Hein@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) European Union Aviation Safety Agency (EASA) AD 2023–0141, dated July 14, 2023.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 13, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–04543 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0351; Project Identifier MCAI–2024–00480–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) 2023–05–13, which applies to all Airbus SAS Model A300 B4–600, B4–600R, and F4–600R series airplanes; and Model A300 C4–605R Variant F airplanes (collectively called Model A300–600 series airplanes). AD 2023–05–13 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Since the FAA issued AD 2023–05–13, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would continue to require the actions in AD 2023–05–13 and would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, 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 5, 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–2025–0351; 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–2025–0351.

• 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–2025–0351; Project Identifier MCAI–2024–00480–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 that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2023–05–13, Amendment 39–22382 (88 FR 20749, April 7, 2023) (AD 2023–05–13), for all Airbus SAS Model A300–600 series airplanes. AD 2023–05–13 was prompted by an MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2022–0173, dated August 24, 2022 (EASA AD 2022–0173) (which corresponds to FAA AD 2023–05–13), to correct an unsafe condition.

AD 2023–05–13 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA issued AD 2023–05–13 to address fatigue damage in principal structural elements. AD 2023–05–13 specifies that accomplishing the revision required by that AD terminates certain requirements of AD 2018–18–19, Amendment 39–19398 (83 FR 47056, September 18, 2018) (AD 2018–18–19). This proposed AD would therefore continue to allow that terminating action.

AD 2018–18–19 applies to all Airbus SAS Model A300 and A310 series airplanes; and Model A300–600 series airplanes. AD 2023–05–13 applies only to Airbus SAS Model A300–600 series airplanes, and this proposed AD would apply only to Airbus SAS Model A300–600 series airplanes. Therefore, this proposed AD would terminate the requirements of AD 2018–18–19 for Airbus SAS Model A300–600 series airplanes only.

Actions Since AD 2023–05–13 Was Issued

Since the FAA issued AD 2023–05–13, EASA superseded AD 2022–0173 and issued EASA AD 2024–0164, dated August 21, 2024 (EASA AD 2024–0164) (referred to after this as the MCAI), for all Airbus SAS Model A300 B4–601, B4–603, B4–620, B4–622, B4–605R, B4–622R, C4–620, C4–605R Variant F, F4–605R, F4–622R, and F4–608ST airplanes. Model A300 C4–620 and F4–608ST airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. The MCAI states that new or more restrictive airworthiness limitations have been developed.

The MCAI also states that EASA revised EASA AD 2017–0204 (which corresponds to FAA AD 2018–18–19) to remove Model A300–600 series airplanes from the applicability. Accomplishing the actions specified in this proposed AD would therefore terminate all requirements of AD 2018–18–19 for Model A300–600 series airplanes only.

The FAA is proposing this AD to address fatigue damage in principal structural elements. The unsafe condition, if not addressed, could result in reduced structural integrity of the airplane You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0351.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0164. This material specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This proposed AD would also require EASA AD 2022–0173, dated August 24, 2022, which the Director of the Federal Register approved for incorporation by reference as of May 12, 2023 (88 FR 20749, April 7, 2023).

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 2023–05–13. This proposed AD would also require revising the existing maintenance or inspection program, as applicable, to incorporate additional new or more restrictive airworthiness limitations, which are specified in EASA AD 2024–0164 already described, as proposed for incorporation by reference. Any differences with EASA AD 2024–0164 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (o)(1) 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 retain the IBR of EASA AD 2022–0173 and incorporate EASA AD 2024–0164 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022–0173 and EASA AD 2024–0164 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 2022–0173 or EASA AD 2024–0164 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 proposed AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2022–0173 or EASA AD 2024–0164. Material required by EASA AD 2024–0164 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–0351 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions and intervals are approved as an AMOC in accordance with the procedures specified in the AMOCs paragraph under ''Additional AD Provisions.'' This new format includes a ''New Provisions for Alternative Actions and Intervals'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action or interval.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 128 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA estimates the total cost per operator for the retained actions from AD 2023–05–13 to be $7,650 (90 work-hours × $85 per work-hour).

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate.

The FAA estimates the total cost per operator for the new proposed actions to be $7,650 (90 work-hours × $85 per work-hour).

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) 2023–05–13, Amendment 39–22382 (88 FR 20749, April 7, 2023); and

■ b. Adding the following new AD:

Airbus SAS: Docket No. FAA–2025–0351; Project Identifier MCAI–2024–00480–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 5, 2025.

(b) Affected ADs

(1) This AD replaces AD 2023–05–13, Amendment 39–22382 (88 FR 20749, April 7, 2023) (AD 2023–05–13).

(2) This AD affects AD 2018–18–19, Amendment 39–19398 (83 FR 47056, September 18, 2018) (AD 2018–18–19).

(c) Applicability

This AD applies to all Airbus SAS airplanes, certificated in any category, identified in paragraphs (c)(1) through (4) of this AD.

(1) Model A300 B4–601, B4–603, B4–620, and B4–622 airplanes.

(2) Model A300 B4–605R and B4–622R airplanes.

(3) Model A300 C4–605R Variant F airplanes.

(4) Model A300 F4–605R and F4–622R airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address fatigue damage in principal structural elements. The unsafe condition, if not addressed, could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Retained Revision of the Existing Maintenance or Inspection Program, With a New Terminating Action

This paragraph restates the requirements of paragraph (g) of AD 2023–05–13, with a new terminating action. 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 2022–0173, dated August 24, 2022 (EASA AD 2022–0173). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (k) of this AD terminates the requirements of this paragraph.

(h) Retained Exceptions to EASA AD 2022–0173, With No Change

This paragraph restates the exceptions specified in paragraph (h) of AD 2023–05–13, with no change.

(1) This AD does not adopt the requirements specified in paragraph (1) of EASA AD 2022–0173.

(2) Paragraph (2) of EASA AD 2022–0173 specifies revising ''the approved AMP'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after May 12, 2023 (the effective date of AD 2023–05–13).

(3) The initial compliance time for doing the tasks specified in paragraph (2) of EASA AD 2022–0173 is at the applicable ''limitations'' as incorporated by the requirements of paragraph (2) of EASA AD 2022–0173, or within 90 days after May 12, 2023 (the effective date of AD 2023–05–13), whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraph (3) of EASA AD 2022–0173.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2022–0173.

(i) Retained Provisions for Alternative Actions and Intervals, With a New Exception

This paragraph restates the requirements of paragraph (i) of AD 2023–05–13, with a new exception. Except as required by paragraph (k) of this AD, After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2022–0173.

(j) Retained Terminating Action for Certain Tasks Required by AD 2018–18–19 With No Changes

This paragraph restates the terminating action of paragraph (j) of AD 2023–05–13, with no changes. For Model A300 B4–601, B4–603, B4–620, B4–622, B4–605R, B4–622R, C4–605R Variant F, F4–605R and F4–622R airplanes only: Accomplishing the actions required by paragraph (g) of this AD terminates the corresponding requirements of AD 2018–18–19 for the tasks identified in the material referenced in EASA AD 2022–0173 only.

(k) New Revision of the Existing Maintenance or Inspection Program

Except as specified in paragraph (l) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0164, dated August 21, 2024 (EASA AD 2024–0164). Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the requirements of paragraph (g) of this AD.

(l) Exceptions to EASA AD 2024–0164

(1) This AD does not adopt the requirements specified in paragraph (1) of EASA AD 2024–0164.

(2) Paragraph (2) of EASA AD 2024–0164 specifies revising ''the approved AMP,'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (2) of EASA AD 2024–0164 is at the applicable ''limitations'' as incorporated by the requirements of paragraph (2) of EASA AD 2024–0164, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (3) and (4) of EASA AD 2024–0164.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0164.

(m) New Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (k) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2024–0164.

(n) New Terminating Action for AD 2018–18–19

For Model A300 B4–601, B4–603, B4–620, B4–622, B4–605R, B4–622R, C4–605R Variant F, F4–605R and F4–622R airplanes only: Accomplishing the actions required by paragraph (j) of this AD terminates the corresponding requirements of AD 2018–18–19.

(o) 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 AIR–520, Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (p) 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.

(p) 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.*

(q) 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.

(3) The following material was approved for IBR on [DATE 35 DAYS AFTER PUBLICATION OF THE FINAL RULE].

(i) European Union Aviation Safety Agency (EASA) AD 2024–0164, dated August 21, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on May 12, 2023 (88 FR 20749, April 7, 2023).

(i) EASA AD 2022–0173, dated August 24, 2022.

(ii) [Reserved]

(5) 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.*

(6) 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.

(7) 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 13, 2025.

Peter A. White,

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

[FR Doc. 2025–04472 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0466; Airspace Docket No. 25–AWP–138]

RIN 2120–AA66

Establishment of Class E Airspace; Wickenburg, AZ

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at Wickenburg, AZ. The FAA is proposing this action to support new instrument procedures and to support instrument flight rule (IFR) operations.

DATES: Comments must be received on or before May 5, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0466 and Airspace Docket No. 25–AWP–138 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish Class E airspace extending upward from 700 feet above the surface Wickenburg Municipal Airport, Wickenburg, AZ, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through

the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface to within a 12.8-mile radius Wickenburg Municipal Airport, Wickenburg, AZ; and within 2.1 miles each side of the 060° bearing from the airport extending from the 12.8-mile radius of the airport to 13.1-miles northeast of the airport; and within 2.1 miles each side of the 240° bearing from the airport extending from the 12.8-mile radius of the airport extending to 13.6 miles southwest of the airport.

This action is the result of instrument procedures being developed for this airport to support IFR operations.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AWP AZ E5 Wickenburg, AZ [Establish]

Wickenburg Municipal Airport, AZ
(Lat. 33°58′14″ N, long. 112°47′42″ W)

That airspace extending upward from 700 feet above the surface within a 12.8-mile radius of the Wickenburg Municipal Airport; and within 2.1 miles each side of the 060° bearing from the airport extending from the 12.8-mile radius of the airport to 13.1 miles northeast of the airport; and within 2.1 miles each side of the 240° bearing from the airport extending from the 12.8-mile radius of the airport to 13.6 miles southwest of the airport.

* * * * *

Issued in Fort Worth, Texas, on March 13, 2025.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025–04396 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2025–0273; Airspace Docket No. 23–ASO–43]

RIN 2120–AA66

Establishment of Restricted Areas R–5305A, R–5305B, and R–5305C; Camp Lejeune, NC; and Restricted Areas R–5307A, R–5307B, and R–5307C; Cherry Point, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish restricted areas R–5305A, R–5305B, and R–5305C; Camp Lejeune, NC; and restricted areas R–5307A, R–5307B, and R–5307C; Cherry Point, NC. The purpose of this proposal is to create additional restricted area airspace to connect restricted area R–5003, R–5004, and R–5306 complexes to contain hazardous activities such as weapon deployment, non-eye safe lasers, and artillery within larger contiguous restricted area airspace that is required to realistically simulate essential training mission tasks.

DATES: Comments must be received on or before May 5, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0273 and Airspace Docket No. 23–ASO–43 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes restricted area airspace at Camp Lejeune, NC and Cherry Point, NC, to enhance aviation safety and accommodate essential United States (U.S.) Marine Corps training activities.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address, phone number, and hours of operation). An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, GA 30337.

Background

Marine Corps Installations East (MCIEAST), Marine Corps Base (MCB), Camp Lejeune, NC, submitted a proposal to the FAA to establish restricted areas R–5305A, R–5305B, and R–5305C; Camp Lejeune, NC; and restricted areas R–5307A, R–5307B, and R–5307C; Cherry Point, NC. Special use airspace in eastern North Carolina was designed as small fragmented restricted area airspace to support second and third generation aircraft. The current airspace structure near Camp Lejeune, NC and Marine Corps Air Station (MCAS) Cherry Point, NC cannot fully support U.S. Marine Corps (USMC) training and readiness requirements for fourth and fifth generation aircraft, such as the F–18 and F–35, as well as unmanned aircraft systems (UAS) that need large, contiguous restricted area airspace to contain the hazardous activities required to accommodate the USMC's training requirements.

USMC aircraft use advanced sensor systems, including lasers, to provide data to command-and-control agencies to enable intelligence collection and targeting, as well as provide targeting data for its own weapon systems. The F–35's primary air-to-ground weapon system, the GBU–53 Small Diameter Bomb II, uses lasers from both the aircraft and the weapon system itself, and is capable of stand-off ranges in excess of 40 nautical miles (NM). The lateral constraints of the existing restricted areas surrounding Cherry Point, NC and Camp Lejeune, NC aerial target sites will not allow for the use of lasers to simulate employing that weapon system from realistic ranges.

Specifically, the existing restricted area R–5003, R–5004, and R–5306 complexes are in proximity, but do not share common boundaries and does not provide the contiguous restricted area airspace required to contain these hazardous, non-eye safe laser guided weapons systems. The proposed establishment of restricted area R–5005 and R–5007 complexes would laterally connect with R–5003, R–5004, and R–5306 complexes to create the large contiguous restricted area airspace that is required to realistically simulate using their weapons systems which is part of their essential training mission tasks.

The proposed restricted areas R–5305A, R–5305B, and R–5305C would also provide for additional surface target availability and increase the time and locations of gun positions for field artillery. Field artillery systems are surface-to-surface weapons, 105 millimeter (mm) and 155 mm shells, that would be fired from the surface up to but not including flight level (FL) 180.

In conjunction with existing restricted areas R–5003, R–5004, and R–5306, the proposed restricted areas R–5305A, R–5305B, R–5305C, R–5307A, R–5307B, and R–5307C would provide the restricted area airspace needed to contain these hazardous activities, conduct realistic training, and properly execute tactics, techniques, and procedures for mission essential tasks required to ensure combat readiness.

National Airspace System Impacts

Very High Frequency Omnidirectional Range (VOR) Federal Airway V–139 would be impacted by proposed restricted areas R–5305A, R–5305B, and R–5305C when they are active with military aircraft. During periods when restricted areas R–5305A, R–5305B, and R–5305C are active with military aircraft, VOR Federal Airway V–139 would be unavailable between the Wilmington, NC (ILM), VOR/Tactical Air Navigation (VORTAC) and the New Bern, NC (EWN), VOR/Distance

Measuring Equipment (VOR/DME). Aircraft operating under instrument flight rules (IFR) may continue to use nearby VOR Federal Airways V–1 and V–56. Additionally, pilots operating Area Navigation (RNAV)-equipped aircraft may navigate via point-to-point navigation using fixes in the local area, or request and receive Air Traffic Control (ATC) radar vectors around active restricted area airspace.

The Coastal Carolina Regional airport, NC (EWN); Michael J. Smith Field Airport, NC (MRH); and Sky Manor Airport, NC (N22) are adjacent to the proposed restricted areas airspace and aircraft operating to and from these airports may be impacted by the proposed restricted areas when they would be active. Aircraft operating under IFR may be impacted as portions of the arrival and departure procedures to these airports would be inside of the proposed restricted area airspace. During periods when the proposed restricted areas would be active MCAS Cherry Point Combined Enroute Radar Approach Control (CERAP) has committed to deconflicting operations in the restricted area with aircraft operating under IFR to allow arrivals and departures from these airports.

Aircraft operating under visual flight rules (VFR) may be affected as the proposed restricted areas would affect operations at the Coastal Carolina Regional Airport, Michael J. Smith Field Airport, and Sky Manor Airport. There would be less airspace southeast of Coastal Carolina Regional Airport and Sky Manor Airport, and less airspace northwest of Michael J. Smith Field Airport for aircraft to maneuver as they arrive or depart each airport. When the proposed restricted areas R–5307A and R–5307B are active, the airspace at and above 2,500 feet mean sea level (MSL) would be unavailable for aircraft to be able to access Michael J. Smith Field and the North Carolina coastline. To mitigate the impact that restricted areas R–5307A and R–5307B would cause, these areas are limited to intermittent activation by Notice to Airmen (NOTAM). Restricted area R–5307A is expected to be activated two hours per day, 25 days a year; and restricted area R–5307B is expected to be activated four hours per day, 25 days per year. Additionally, MCAS Cherry Point CERAP has committed to providing flight following to aircraft operating under VFR, and as needed, would deconflict operations in the restricted area to provide aircraft a path for non-participating aircraft to fly through the restricted area airspace to ensure continued access to the coastline and to Michael J. Smith Field Airport.

In accordance with FAA policy in FAA Order JO 7400.2, restricted areas R–5305A, R–5305B, R–5305C, R–5307A, R–5307B, and R–5307C would be joint-use; meaning that the restricted areas would be returned to the controlling agency, MCAS Cherry Point CERAP on a real-time basis when not needed by the using agency for its designated purpose. This would be accomplished through a range control facility acting on behalf of the using agency. All participating users of the restricted area would be required to establish and maintain radio communications with the range control facility, allowing for real-time joint use activation, deactivation, and prompt recall of each airspace area by the controlling agency when necessary. If established via a final rule, the FAA would require that provisions be made in a letter of agreement to allow the controlling agency to recall the airspace when necessary to accommodate traffic flows in the event of unusual air traffic activity, severe weather or turbulence, and emergency aircraft.

MCAS Cherry Point CERAP will provide real-time special use airspace status information, allow transitions through the area by nonparticipating aircraft, and provide traffic advisories to nonparticipating pilots that request such services. MCAS Cherry Point CERAP agrees to advertise such service; ''Contact Cherry Point Approach on 119.75 or 360.775 for R–5307A/B status'' that would be depicted on aeronautical charts. Based on these considerations, the FAA expects minimal impact on aircraft operating under IFR and VFR transiting the area.

The Proposal

The FAA is proposing an amendment to 14 CFR part 73 to establish restricted areas R–5305A, R–5305B, and R–5305C; Camp Lejeune, NC; and restricted areas R–5307A, R–5307B, and R–5307C; Cherry Point, NC. This additional restricted area airspace, combined with the existing restricted area R–5003, R–5004, and R–5306 complexes, would support USMC training and readiness requirements and would provide the contiguous restricted area airspace required to contain hazardous activities such as weapon deployment, non-eye safe lasers, and artillery necessary to conduct complex training scenarios required to realistically train to accomplish mission essential tasks.

Restricted areas R–5305A, R–5305B, and R–5305C would share the same lateral boundaries. Restricted area R–5305A would be from the surface to but not including 7,000 feet MSL, excluding the airspace from the surface to 200 feet above ground level (AGL) within 200 feet either side of U.S. Highway 17. Published times of use would be Monday through Friday, 0600 to 2359 local time, other times of use would be published in a NOTAM at least 24 hours in advance. Restricted area R–5305A would be expected to be activated 8 hours per day, 150 days per year. Approximately 25 percent of the activation time would be during the hours of darkness, and approximately 5 percent of all activation would include fixed-wing operations.

Restricted area R–5305B would be from 7,000 feet MSL to but not including 10,000 feet MSL. A NOTAM would publish the intermittent times of use of restricted area R–5305B. Restricted area R–5305B is expected to be activated 4 hours per day, 30 days per year. Approximately 25 percent of the activation time would be during the hours of darkness, and approximately 50 percent of the activation time would include fixed-wing operations.

Restricted area R–5305C would be from 10,000 feet MSL to but not including FL 180. A NOTAM would publish intermittent times of use of restricted area R–5305C. It is expected to be activated 4 hours per day, 30 days per year. Approximately 25 percent of the activation time would be during the hours of darkness, and approximately 50 percent of the activation time would include fixed-wing operations.

Restricted areas R–5307A, R–5307B, and R–5307C would overlay each other, and would replace alert area A–530. Restricted areas R–5307B and R–5307C would share the same lateral boundaries.

Restricted area R–5307A would be from 2,500 feet AGL to but not including 10,000 feet MSL. A NOTAM would publish intermittent times of use of restricted area R–5307A. Restricted area R–5307A is expected to be activated 2 hours per day, 25 days per year. Approximately 25 percent of all activation time would be during the hours of darkness.

Restricted area R–5307B would be from 10,000 feet MSL to but not including FL 180. A NOTAM would publish intermittent times of use of restricted area R–5307A. Restricted area R–5307B is expected to be activated 4 hours per day, 25 days per year. Approximately 25 percent of all activation time would be during the hours of darkness.

Restricted area R–5307C would be from FL 180 to FL 290. Published times of use would be Monday through Friday, 0800–2359 local, other times by NOTAM. Restricted area R–5307C is expected to be activated 4 hours per

day, 100 days per year. Approximately 25 percent of all activation time would be during the hours of darkness.

The full descriptions of the above restricted areas are set forth below in the proposed amendments to part 73.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(f); 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 73.53 North Carolina [Amended]

■ 2. Section 73.53 is amended as follows:

* * * * *

R–5305A Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°39′16″ N, long. 077°28′31″ W; to lat. 34°41′00″ N, long. 077°24′59″ W; to lat. 34°40′21″ N, long. 077°22′11″ W; to lat. 34°38′13″ N, long. 077°25′59″ W; to lat. 34°36′06″ N, long. 077°26′07″ W; to lat. 34°35′04″ N, long. 077°23′43″ W; to lat. 34°33′57″ N, long. 077°25′24″ W; to lat. 34°34′27″ N, long. 077°26′16″ W; to lat. 34°33′47″ N, long. 077°27′02″ W; to lat. 34°35′14″ N, long. 077°27′45″ W; to lat. 34°35′22″ N, long. 077°28′46″ W; to lat. 34°35′22″ N, long. 077°28′48″ W; to lat. 34°35′22″ N, long. 077°28′51″ W; to lat. 34°35′23″ N, long. 077°29′24″ W; to lat. 34°36′42″ N, long. 077°29′03″ W; to lat. 34°36′51″ N, long. 077°29′01″ W; to lat. 34°36′53″ N, long. 077°29′01″ W; to lat. 34°38′22″ N, long. 077°28′42″ W; to the point of beginning.

Designated altitudes. Surface to but not including 7,000 feet MSL, excluding the airspace from the surface to 200 feet AGL within 200 feet either side of U.S. Highway 17.

Time of designation. 0600–2359 local time, Monday–Friday; other times by NOTAM published at least 24 hours in advance.

Controlling agency. USMC, MCAS Cherry Point CERAP.

Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC.

R–5305B Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°39′16″ N, long. 077°28′31″ W; to lat. 34°41′00″ N, long. 077°24′59″ W; to lat. 34°40′21″ N, long. 077°22′11″ W; to lat. 34°38′13″ N, long. 077°25′59″ W; to lat. 34°36′06″ N, long. 077°26′07″ W; to lat. 34°35′04″ N, long. 077°23′43″ W; to lat. 34°33′57″ N, long. 077°25′24″ W; to lat. 34°34′27″ N, long. 077°26′16″ W; to lat. 34°33′47″ N, long. 077°27′02″ W; to lat. 34°35′14″ N, long. 077°27′45″ W; to lat. 34°35′22″ N, long. 077°28′46″ W; to lat. 34°35′22″ N, long. 077°28′48″ W; to lat. 34°35′22″ N, long. 077°28′51″ W; to lat. 34°35′23″ N, long. 077°29′24″ W; to lat. 34°36′42″ N, long. 077°29′03″ W; to lat. 34°36′51″ N, long. 077°29′01″ W; to lat. 34°36′53″ N, long. 077°29′01″ W; to lat. 34°38′22″ N, long. 077°28′42″ W; to the point of beginning.

Designated altitudes. 7,000 feet MSL to but not including 10,000 feet MSL.

Time of designation. Intermittent by NOTAM.

Controlling agency. USMC, MCAS Cherry Point CERAP.

Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC.

R–5305C Camp Lejeune, NC [New]

Boundaries. Beginning at lat. 34°39′16″ N, long. 077°28′31″ W; to lat. 34°41′00″ N, long. 077°24′59″ W; to lat. 34°40′21″ N, long. 077°22′11″ W; to lat. 34°38′13″ N, long. 077°25′59″ W; to lat. 34°36′06″ N, long. 077°26′07″ W; to lat. 34°35′04″ N, long. 077°23′43″ W; to lat. 34°33′57″ N, long. 077°25′24″ W; to lat. 34°34′27″ N, long. 077°26′16″ W; to lat. 34°33′47″ N, long. 077°27′02″ W; to lat. 34°35′14″ N, long. 077°27′45″ W; to lat. 34°35′22″ N, long. 077°28′46″ W; to lat. 34°35′22″ N, long. 077°28′48″ W; to lat. 34°35′22″ N, long. 077°28′51″ W; to lat. 34°35′23″ N, long. 077°29′24″ W; to lat. 34°36′42″ N, long. 077°29′03″ W; to lat. 34°36′51″ N, long. 077°29′01″ W; to lat. 34°36′53″ N, long. 077°29′01″ W; to lat. 34°38′22″ N, long. 077°28′42″ W; to the point of beginning.

Designated altitudes. 10,000 feet MSL to but not including FL 180.

Time of designation. Intermittent by NOTAM.

Controlling agency. FAA, Washington ARTCC.

Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC.

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R–5307A Cherry Point, NC [New]

Boundaries. Beginning at lat. 35°08′01″ N, long. 076°51′19″ W; to lat. 34°46′01″ N, long. 076°29′59″ W; to lat. 34°45′11″ N, long. 076°40′29″ W; to lat. 34°42′01″ N, long. 076°54′44″ W; to lat. 34°50′50″ N, long. 077°05′16″ W; to lat. 34°59′18″ N, long. 077°00′08″ W; to the point of beginning.

Designated altitudes. 2,500 feet AGL to but not including 10,000 feet MSL.

Time of designation. Intermittent by NOTAM.

Controlling agency. USMC, MCAS Cherry Point CERAP.

Using agency. USMC, Commanding Officer, MCAS Cherry Point, NC.

R–5307B Cherry Point, NC [New]

Boundaries. Beginning at lat. 35°08′01″ N, long. 076°51′19″ W; to lat. 34°46′01″ N, long. 076°29′59″ W; to lat. 34°40′17″ N, long. 076°24′46″ W; thence southwest 3 NM from and parallel to the shoreline to lat. 34°37′36″ N, long. 076°56′19″ W; to lat. 34°41′51″ N, long. 076°56′19″ W; to lat. 34°42′01″ N, long. 076°54′44″ W; to lat. 34°50′50″ N, long. 077°05′16″ W; to lat. 34°59′18″ N, long. 077°00′08″ W; to the point of beginning.

Designated altitudes. 10,000 feet MSL to but not including FL 180.

Time of designation. Intermittent by NOTAM.

Controlling agency. USMC, MCAS Cherry Point CERAP.

Using agency. USMC, Commanding Officer, MCAS Cherry Point, NC.

R–5307C Cherry Point, NC [New]

Boundaries. Beginning at lat. 35°08′01″ N, long. 076°51′19″ W; to lat. 34°46′01″ N, long. 076°29′59″ W; to lat. 34°40′17″ N, long. 076°24′46″ W; thence southwest 3 NM from and parallel to the shoreline to lat. 34°37′36″ N, long. 076°56′19″ W; to lat. 34°41′51″ N, long. 076°56′19″ W; to lat. 34°42′01″ N, long. 076°54′44″ W; to lat. 34°50′50″ N, long. 077°05′16″ W; to lat. 34°59′18″ N, long. 077°00′08″ W; to the point of beginning.

Designated altitudes. FL 180 to FL 290.

Time of designation. 0800–2359 local time, Monday–Friday; other times by NOTAM.

Controlling agency. FAA, Washington ARTCC.

Using agency. USMC, Commanding Officer, MCAS Cherry Point, NC.

* * * * *

Issued in Washington, DC, on March 12, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–04392 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

RIN 2060–AU73

[EPA–HQ–OAR–2024–0303; FRL–7623–03–OAR]

National Emission Standards for Hazardous Air Pollutants: Chemical Manufacturing Area Sources Technology Review; Comment Period Extension

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of public comment period.

SUMMARY: On January 22, 2025, the U.S. Environmental Protection Agency (EPA) proposed a rule titled ''National Emission Standards for Hazardous Air Pollutants: Chemical Manufacturing Area Sources Technology Review.'' The EPA is extending the comment period on this proposed rule, which was scheduled to close on March 24, 2025. The comment period will now remain open until April 14, 2025, to allow additional time for stakeholders to review and comment on the proposal.

DATES: The public comment period for the proposed rule published in the **Federal Register** (FR) on January 22, 2025, (90 FR 7942) is being extended by 21 days. Written comments must now be received on or before April 14, 2025.

ADDRESSES: Submit comments, identified by Docket ID No. EPA–HQ–OAR–2024–0303, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov/* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2024–0303 in the subject line of the message.
- *Fax:* (202) 566–9744. Attention Docket ID No. EPA–HQ–OAR–2024–0303.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA–HQ–OAR–2024–0303, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand Delivery or Courier (by scheduled appointment only):* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal holidays).

Instructions. All submissions received must include the Docket ID No. EPA–HQ–OAR–2024–0303 for this rulemaking. Comments received may be posted without change to *https://www.regulations.gov/,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For questions about this action, contact U.S. EPA, Attn: Mr. William Gallagher, Mail Drop: E143–01, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711; telephone number: (919) 541–2336; and email address: *gallagher.william@epa.gov.*

SUPPLEMENTARY INFORMATION:

Rationale. On January 22, 2025, the U.S. Environmental Protection Agency (EPA) proposed a rule titled ''National Emission Standards for Hazardous Air Pollutants: Chemical Manufacturing Area Sources Technology Review'' (see 90 FR 7942). The comment period on this proposed rule was originally scheduled to close on March 24, 2025. The EPA has received a request for additional time to review and comment on this proposed rule. The EPA has decided to extend the period by 21 days. The public comment period will now end on April 14, 2025.

Docket. The EPA has established a docket for this rulemaking under Docket ID No. EPA–HQ–OAR–2024–0303. All documents in the docket are listed in *https://www.regulations.gov/.* Although listed, 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. With the exception of such material, publicly available docket materials are available electronically in *Regulations.gov.*

Instructions. Direct your comments to Docket ID No. EPA–HQ–OAR–2024–0303. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *https://www.regulations.gov/,* including any personal information provided, unless the comment includes information claimed to be CBI or other information whose disclosure is restricted by statute. Do not submit electronically to *https://www.regulations.gov/* any information that you consider to be CBI or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed below.

The EPA may publish any comment received to its public docket. 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, 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.*

The *https://www.regulations.gov/* website allows you to submit your comment anonymously, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *https://www.regulations.gov/,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any digital storage media you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should not include special characters or any form of encryption and be free of any defects or viruses. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at *https://www.epa.gov/dockets.*

Submitting CBI. Do not submit information containing CBI to the EPA through *https://www.regulations.gov/.* Clearly mark the part or all of the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in *Instructions* above. If you submit any digital storage media that does not contain CBI, mark

the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.,* Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov* and, as described above, should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404–02, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA–HQ–OAR–2024–0303. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

Penny Lassiter,

Director, Sector Policies and Programs Division.

[FR Doc. 2025–04653 Filed 3–19–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 27

[AU Docket No. 25–117; DA 25–193; FR ID 285139]

Auction of Advanced Wireless Services (AWS–3) Licenses; Comment Sought on Competitive Bidding Procedures for Auction 113

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; proposed auction procedures.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) announces an auction of 200 licenses in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz bands (collectively, the ''AWS–3'' bands). The Office of Economics and Analytics (OEA), jointly with the Wireless Telecommunications Bureau (WTB), also seeks comment in this document on the procedures to be used for this auction, which is designated as Auction 113.

DATES: Comments are due on or before April 10, 2025, and reply comments are due on or before April 25, 2025.

ADDRESSES: Interested parties may file comments or reply comments, identified by AU Docket No. 25–117, by any of the following methods:

Electronic Filers: Comments may be filed electronically using the internet by accessing the Commission's Electronic Comment Filing System (ECFS) at *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 mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8 a.m. and 4 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 mail (any not sent 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, Express, and Priority mail must be sent to 45 L Street NE, Washington, DC 20554.

Email: Commenters are requested to also submit a copy of their comments and reply comments electronically to the following address: *auction113@fcc.gov.*

Ex Parte Rules: This proceeding shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules. 47 CFR 1.1200 *et seq.* 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 presentations 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* presentations are deemed to be written *ex parte* presentations and must be filed consistent with 47 CFR 1.1206(b). In proceedings governed by 47 CFR 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.

FOR FURTHER INFORMATION CONTACT:

Auction Legal Questions: Valerie M. Barrish, (202) 418–0660, *Valerie.Barrish@fcc.gov,* or Yasiman E. Montgomery, (202) 418–0660, *Yasiman.Montomery@fcc.gov.*

General Auction Questions: Auction Hotline at (717) 338–2868.

AWS–3 Service Questions: Madelaine Maior, (202) 418–1166, *Madelaine.Maior@fcc.gov,* or Jeffrey Tignor, (202) 418–0774, *JeffreyTignor@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the document, AU Docket No. 25–117, DA 25–193, adopted on March 11, 2025, and released on March 11, 2025 (*Auction 113 Comment Public Notice*). The *Auction 113 Comment Public Notice* includes the following attachments: Attachment A, Auction 113 Licenses; Proposed Bidding Units, Upfront Payments, and Minimum Opening Bid Amounts. The complete text of the *Auction 113 Comment Public Notice,* including its attachment, is available on the Commission's website at *http://www.fcc.gov/auction/113* or by using the search function for AU Docket No. 25–117 on the Commission's ECFS web page at *www.fcc.gov/ecfs.*

Alternative formats are available to persons with disabilities by sending an email to *fcc504@fcc.gov* or by calling the Consumer and Governmental Affairs Bureau at (202) 418–0530.

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 the *Auction 113 Comment Public Notice* is available at *https://www.fcc.gov/proposed-rulemakings.*

Paperwork Reduction Act of 1995 Analysis

The *Auction 113 Comment Pubic Notice* seeks comment on proposed requirements that may result in new or modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, specific comment is sought on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

I. Introduction

1. In the *Auction 113 Comment Public Notice,* the Commission announces an auction of 200 licenses in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz bands (collectively, the ''AWS–3'' bands), which is designated as Auction 113.

2. The Commission is offering the licenses in Auction 113 pursuant to the Spectrum and Secure Technology and Innovations Act of 2024 (Spectrum and Secure Technology and Innovation Act). The Spectrum and Secure Technology and Innovation Act, Public Law 118–159, directs the Commission to initiate a system of competitive bidding to grant licenses of unassigned AWS–3 spectrum in the Commission's inventory as of December 23, 2024 within 18 months of December 23, 2024. Auction proceeds will support the Commission's Supply Chain Reimbursement Program, which implements the Secure and Trusted Communications Networks Act of 2019 by reimbursing eligible advanced communications service providers for their costs to remove, replace, and dispose of Huawei Technologies Company or ZTE Corporation equipment and services obtained on or before June 30, 2020.

3. In this proceeding and consistent with past practice, the Office of Economics and Analytics (OEA), jointly with the Wireless Telecommunications Bureau (WTB), seeks comment in the *Auction 113 Comment Public Notice* on the competitive bidding procedures and auction design to be used for bidding to acquire licenses in Auction 113, including a proposal to use an ascending clock auction format—specifically, a clock-1 format—wherein bidding in the clock phase would be for specific licenses to assign the licenses offered in Auction 113.

II. Licenses To Be Offered In Auction 113

4. The list of licenses to be offered in Auction 113 is available in the Attachment A file on the Auction 113 website at *www.fcc.gov/auction/113.* The licenses available in Auction 113 will be granted pursuant to the Commission's authority under the Spectrum and Secure Technology and Innovation Act to initiate a system of competitive bidding that will grant licenses for spectrum in the Commission's inventory as of December 23, 2024 in the AWS–3 bands. Licenses for the AWS–3 spectrum previously were offered in Auction 97, however not all the licenses offered in Auction 97 were assigned following that auction. The licenses for AWS–3 spectrum that were available in the Commission's inventory as of December 23, 2024 and will be offered in Auction 113 are listed in the Attachment A file. In its *2025 AWS–3 NPRM,* 90 FR 11931 (March 13, 2025), the Commission seeks comment on possibly adopting a Tribal licensing window for relevant portions of AWS–3 spectrum in its inventory which could affect the licenses to be offered in Auction 113. If corrections or changes to the list of licenses available in Auction 113 are necessary for any reason, the Commission may update the Attachment A file as appropriate.

A. Description of Licenses

5. In the *2014 AWS–3 Report and Order,* 79 FR 32366 (June 4, 2014), the Commission concluded that all licenses in the 1695–1710 MHz band, and most licenses in the 1755–1780 MHz and 2155–2180 MHz bands, should be awarded on an Economic Area (EA) basis in all areas, and that all licenses in the 1755–1760 MHz and 2155–2160 MHz bands should be awarded on a Cellular Market Area (CMA) basis in all areas.

6. The AWS–3 spectrum available in Auction 113 will be licensed on a geographic area basis. Of the 200 licenses offered in Auction 113, 48 will be EA licenses and 152 will be CMA licenses. The AWS–3 frequencies will be licensed in five and ten megahertz blocks, with each license having a total bandwidth of five, ten, or twenty megahertz.

7. The 1695–1710 MHz band will be licensed in an unpaired configuration for low-power mobile transmit (*i.e.,* uplink) operations. The 1755–1780 MHz band will be licensed paired with the 2155–2180 MHz band, with the 1755–1780 MHz band authorized for low-power mobile transmit (*i.e.,* uplink) operations and the 2155–2180 MHz band authorized for base station and fixed (*i.e.,* downlink) operations. Higher-power fixed and base station operations are also prohibited in the 1755–1780 MHz band.

8. Figure 1 in the *Auction 113 Comment Public Notice* shows the band plan for the 1695–1710 MHz band. Figure 2 in the *Auction 113 Comment Public Notice* shows the band plans for the 1755–1780 MHz and 2155–2180 MHz bands. Table 1 contains summary information regarding the AWS–3 licenses available in Auction 113:

TABLE 1—AWS–3 LICENSE SUMMARY

[Auction 113]

Block	Frequencies (MHz)	Total bandwidth	Pairing	Geographic area type	Number of licenses
A1	1695–1700 MHz	5 MHz	unpaired	EA	1
B1	1700–1710 MHz	10 MHz	unpaired	EA	1
G	1755–1760/2155–2160 MHz	10 MHz	2 x 5 MHz	CMA	152
H	1760–1765/2160–2165 MHz	10 MHz	2 x 5 MHz	EA	14
I	1765–1770/2165–2170 MHz	10 MHz	2 x 5 MHz	EA	29

TABLE 1—AWS–3 LICENSE SUMMARY—Continued

[Auction 113]

Block	Frequencies (MHz)	Total bandwidth	Pairing	Geographic area type	Number of licenses
J	1770–1780/2170–2180 MHz	20 MHz	2 x 10 MHz	EA	3

9. Each potential bidder is solely responsible for investigating and evaluating all technical and marketplace factors that may have a bearing on the potential uses of a license that it may seek in Auction 113. In addition to the typical due diligence considerations that the Commission encourages of bidders in all auctions, OEA and WTB call particular attention in Auction 113 to the incumbency issues in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz bands and protection of Federal and non-Federal incumbent operations as described herein. Each applicant should closely follow releases from the Commission concerning these issues and consider carefully the technical and economic implications for commercial use of the AWS–3 band. The Commission makes no representations or warranties about the use of this spectrum for particular services, or about the information in Commission databases that is furnished by outside parties. Each applicant should be aware that a Commission spectrum license auction represents an opportunity to become a Commission licensee, subject to certain conditions and regulations. This includes the established authority of the Commission to alter the terms of existing licenses by rulemaking, which is equally applicable to licenses awarded by auction. A Commission auction does not constitute an endorsement by the Commission of any particular service, technology, or product, nor does a Commission license constitute a guarantee of business success.

B. Incumbency Issues

10. The AWS–3 bands are currently being used for a variety of government and non-government services. In the *2014 AWS–3 Report and Order,* the Commission allocated the 1695–1710 MHz and 1755–1780 MHz bands for commercial use. The Commission allocated the 1695–1710 MHz band for non-Federal fixed and mobile (except aeronautical mobile) use and the 1755–1780 MHz band for non-Federal fixed and mobile use. Licenses in the 1695–1710 MHz band are being made available on a shared basis with incumbent Federal meteorological-satellite (MetSat) data users. The Commission adopted twenty-seven Protection Zones for the 1695–1710 MHz band in the *2014 AWS–3 Report and Order,* and the forty-seven Federal earth stations located in these Protection Zones will operate on a co-equal, primary basis with commercial AWS–3 licensees. All other Federal earth stations operate on a secondary basis. In order to facilitate coordination, uplink/mobile transmit devices in the 1695–1710 MHz band must be under the control of, or associated with, a base station as a means to facilitate shared use of the band and prevent interference to Federal operations. Licenses in the 1755–1780 MHz band are being made available on a shared basis with a limited number of Federal incumbents indefinitely, and some Federal systems that have or will over time relocate out of the band. The Federal systems located in the Protection Zones adopted by the Commission for the 1755–1780 MHz band in the *2014 AWS–3 Report and Order* will operate on a co-equal, primary basis with commercial AWS licensees. The Federal systems that will relocate from the band pursuant to an approved transition plan will operate on a primary basis until they are reaccommodated. In order to facilitate coordination, uplink/mobile transmit devices in the 1755–1780 MHz band must be under the control of, or associated with, a base station as a means to facilitate shared use of the band and prevent interference to Federal operations. NTIA issues annual reports on the status of the transitions of spectrum in the 1695–1710 MHz and 1755–1780 MHz bands. Licenses to operate in the 1695–1710 MHz and 1755–1780 MHz bands are subject to the condition that the licensee must not cause harmful interference to an incumbent Federal entity relocating from these bands under an approved Transition Plan. This condition remains in effect until NTIA terminates the applicable authorization of the incumbent Federal entity. Although this license condition does not apply to the permanent sharing scenario, the Commission's rules require successful coordination to avoid causing harmful interference to these Federal incumbents. In addition, AWS–3 licensees in the 1755–1780 MHz band must agree to accept interference from incumbent Federal users while they remain authorized to operate in the band. The 2155–2180 MHz band is already allocated for exclusive non-Federal, commercial use. Although no Federal users are currently licensed or operating in the 2155–2180 MHz band, AWS–3 licensees may have to protect or relocate and/or share in the cost of relocating non-Federal incumbent Fixed Microwave and Broadband Radio Service licensees in the band.

11. AWS–3 licensees in the 1695–1710 MHz and 1755–1780 MHz bands are required to successfully coordinate with Federal incumbent users in these bands prior to operating in designated protection zones. The *2014 AWS–3 Report and Order* established that 1695–1710 MHz licensees operating at certain power levels would be required to coordinate with Federal incumbents in those protection zones, and higher-powered operations would generally require nationwide coordination. Similarly, operations in the 1755–1780 MHz band are subject to successful coordination with Federal incumbents in the protection zones adopted for that band, with the default coordination zone being nationwide. Prior to commencing operations in the 1755–1780 MHz band, an AWS–3 licensee must reach a coordination arrangement on an operator-to-operator basis with each Federal agency that has an assignment with United States and Possessions authority. The *FCC/NTIA Coordination Procedures Public Notice,* 79 FR 54710 (September 12, 2014), contains various refinements to the previously-defined protection zones for each of these bands. The *FCC/NTIA Coordination Procedures Public Notice* also provides information and guidance on the overall coordination process for these bands, as contemplated by the *2014 AWS–3 Report and Order,* including informal pre-coordination discussion and the formal process of submitting coordination requests to, and receiving responses to coordination requests from, relevant Federal agencies. OEA and WTB encourage each potential applicant to carefully review these coordination requirements and the policies and procedures adopted by the Commission to implement them, and to

consider the impact of those requirements and policies on the potential applicant's business plans.

III. Implementation of Part 1 Competitive Bidding Rules and Requirements

12. The Commission's part 1 competitive bidding rules require each applicant seeking to bid to acquire licenses in a spectrum auction to provide certain information in a short-form application (FCC Form 175), including ownership details and numerous certifications. Pursuant to the Commission's competitive bidding rules under 47 CFR 1.2105, each applicant must make a series of certifications under penalty of perjury on its FCC Form 175 related to the information provided in its application and its participation in the auction, and it must confirm that it is legally, technically, financially, and otherwise qualified to hold a Commission license. As with other required certifications, an auction applicant's failure to make the required certification in its short-form application by the applicable filing deadline would render its application unacceptable for filing, its application would be dismissed with prejudice, and it would be ineligible to participate further in the auction. The competitive bidding rules in 47 CFR part 1, subpart Q also contain a framework for the implementation of a competitive bidding design, application and certification procedures, payment procedures, reporting requirements, and the prohibition of certain communications.

A. Certification of Notice of Auction 113 Requirements and Procedures

13. In addition to certifications already required under 47 CFR 1.2105, OEA and WTB propose to require any applicant seeking to participate in Auction 113 to certify in its short-form application, under penalty of perjury, that it has read the public notice(s) adopting procedures for Auction 113, as appropriate, and that it has familiarized itself both with the auctions procedures and with the requirements for obtaining a license and operating facilities in the AWS–3 band. OEA and WTB believe that this certification would help ensure that the applicant has reviewed the procedures for participation in the auction process and has investigated and evaluated those technical and marketplace factors that may have a bearing on its potential use of any license won at auction. Consequently, this requirement will promote an applicant's successful participation in the auction and reduce its risk of defaulting on its auction obligations. As with other required certifications, an auction applicant's failure to make the required certifications in its short-form application by the applicable filing deadline would render its application unacceptable for filing, and its application would be dismissed with prejudice. OEA and WTB seek comment on this proposal. OEA and WTB also seek comment on whether there are additional steps the Commission should take with respect to the filing of short-form applications to further ensure and promote auction integrity.

B. Acknowledgement for Auction 113 Applicants

14. In its *2014 AWS–3 Report and Order,* the Commission adopted rules to address commercial operations in these bands in light of the temporary and indefinite sharing of the bands by Federal incumbent users and commercial licensees, including a requirement that commercial licensees operate on a co-equal, primary basis with Federal systems within specified geographic zones, and a requirement that licensees in the 1755–1780 MHz band accept interference from Federal systems as long as such systems remain in the band. To implement these rules, each Auction 97 applicant seeking to bid in the 1755–1780 MHz band had been required to submit with its short-form application a signed statement acknowledging that the applicant's operations in the 1755–1780 MHz band may be subject to interference from Federal systems in certain geographic zones, that the applicant must accept interference from such Federal systems in those zones, and that the applicant has considered these risks before submitting any bids for applicable licenses. As discussed herein, there continue to be Federal incumbent users in the 1755–1780 MHz band. Accordingly, as was required for Auction 97 applicants, OEA and WTB propose to require an Auction 113 applicant to submit a signed statement as an attachment to its short-form application acknowledging that the applicant's operations in the 1755–1780 MHz band may be subject to interference from Federal systems in certain geographic zones, that the applicant must accept interference from such Federal systems in those zones, and that the applicant has considered these risks before submitting any bids for applicable licenses in Auction 113. OEA and WTB seek comment on this proposal.

C. Bidding Credit Caps

15. In general, the Commission's bidding credit program promotes small business and rural service provider participation in auctions and in the provision of spectrum-based services. Consistent with the framework established by the Commission in the *Updating Part 1 Report and Order,* 80 FR 56764 (September 18, 2015), OEA and WTB seek comment on establishing a reasonable monetary limit or cap on the total amount of bidding credits that an eligible small business or rural service provider may be awarded for Auction 113.

16. Eligibility for the small business bidding credit is determined according to a tiered schedule of small business size definitions that are based on an applicant's average annual gross revenues for the relevant preceding period, and which determine the size of the bidding credit discount. In its *2014 AWS–3 Report and Order,* the Commission decided it would conduct any auction for licenses in the AWS–3 bands pursuant to its competitive bidding rules in 47 CFR part 1, subpart Q and would provide small business bidding credits to eligible entities. Under the rules in effect at the time Auction 97 was conducted, an entity with average annual gross revenues for the preceding three years not exceeding $40 million was designated as a ''small business'' eligible for a 15% bidding credit, and an entity with average annual gross revenues for the preceding three years not exceeding $15 million was designated as a ''very small business'' eligible for a 25% bidding credit. Shortly after Auction 97 ended, the Commission increased the gross revenue thresholds that define eligibility for the existing 15%, 25%, and 35% tiers of the small business bidding credit program to 55 million, $20 million, and $4 million, respectively, and adopted a rural service provider bidding credit. Additionally, in 2018, Congress amended the Small Business Act to require an agency that prescribes a size standard for categorizing a business concern providing services as a ''small business concern'' to do so based on annual average gross revenues over a period of not less than five-years.

17. Because the service rules for the AWS–3 bands had not been updated to reflect these changes, in its *2025 AWS–3 NPRM,* the Commission proposed to harmonize the designated entity rules for the AWS–3 bands with both the updated competitive bidding rules for designated entities in 47 CFR part 1, subpart Q and the Small Business Act's

revised five-year average gross receipts benchmark. The Commission defines the small business size standards on a service-by-service basis, after evaluating the associated characteristics and capital requirements of each service, and proposed in the *2025 AWS–3 NPRM* to adopt for the AWS–3 service rules the small business definitions for the two higher gross revenues thresholds of $55 million and $20 million that are in the standardized schedule for small business bidding credits in 47 CFR part 1, subpart Q. The Commission determines eligibility for the rural service provider bidding credit on a service-by-service basis, and proposed in the *2025 AWS–3 NPRM* that in any future auction of licenses in the AWS–3 bands, it would offer a 15% rural service provider bidding credit to any eligible rural service provider, as defined in 47 CFR 1.2110(f)(4)(i), that is not also claiming a small business bidding credit. Under 47 CFR 1.2110(f)(4)(i), entities providing commercial communications services to a customer base of fewer than 250,000 combined wireless, wireline, broadband, and cable subscribers in primarily rural areas will be eligible for the 15% rural service provider bidding credit. The Commission defined ''rural area'' as a county with a population density of 100 persons or fewer per square mile.

18. To protect the integrity of the bidding credit program and to mitigate the incentives for abuse, the Commission, in the *Updating Part 1 Report and Order,* established a process to implement a reasonable cap on the total bidding credit amount that an eligible small business or rural service provider may be awarded in any auction where such credits are available. This process is based on an evaluation of the expected capital requirements presented by the particular service and inventory of licenses being auctioned. The Commission determined that bidding credit caps would be implemented on an auction-by-auction basis, but resolved that, for any particular auction, the total amount of the bidding credit cap for small businesses would not be less than $25 million, and the bidding credit cap for rural service providers would not be less than $10 million. For Auctions 101, 102, 103, 105, 107, 108, and 110, the Commission adopted a $25 million cap on the total bidding credit amount that may be awarded to an eligible small business in each auction and a $10 million cap on rural service provider bidding credits in each auction.

19. OEA and WTB propose to adopt the same $25 million small business bidding credit cap for Auction 113 as was adopted for nearly all spectrum auctions conducted after Auction 97 was completed and following the adoption of the *Updating Part 1 Report and Order*'s bidding cap framework. Auction data suggest that a $25 million cap on small business bidding credits will allow the substantial majority of eligible small businesses in the auction to take advantage of the bidding credit program. No bidder seeking a small business bidding credit exceeded the $25 million cap in Auction 101, Auction 102, Auction 103, Auction 105, Auction 110, or Auction 108, and only one bidder seeking a small business bidding credit exceeded the $25 million cap in Auction 107. OEA and WTB therefore believe that this proposed cap will not conflict with the statutory goals of providing meaningful opportunities for *bona fide* small businesses to compete in auctions and in the provision of spectrum-based services, while preventing unjust enrichment and ensuring efficient and intensive use of spectrum.

20. Similarly, if the Commission adopts the rural service provider bidding credit proposed in the *2025 AWS–3 NPRM* for any future auction of licenses in the AWS–3 bands, OEA and WTB propose to adopt a $10 million cap on the total amount of bidding credit amounts that may be awarded to an eligible rural service provider in Auction 113. An entity is not eligible for a rural service provider bidding credit if it has already claimed a small business bidding credit. Based on their experience with other spectrum auctions, OEA and WTB anticipate that a $10 million cap on rural service provider bidding credits will allow any rural service provider to participate fully and fairly in Auction 113. No rural service provider exceeded the $10 million cap in the forward portion of the Broadcast Incentive Auction (Auction 1002), Auction 101, Auction 102, Auction 103, Auction 105, Auction 107, Auction 108, or Auction 110. The capped rural service provider bidding credit will be ''significant enough to assist eligible entities to have the opportunity to compete at auction, but reasonable enough to ensure that ineligible entities are not encouraged to undercut [the Commission's] rules,'' and thereby serve the ''dual statutory goals of benefitting [designated entities] and at the same time preventing unjust enrichment.''

21. In addition, to create parity in Auction 113 among eligible small businesses and rural service providers competing against each other in smaller markets, if the Commission decides that a rural service provider bidding credit will be available in Auction 113, OEA and WTB propose a $10 million cap on the overall amount of bidding credits that any winning designated entity bidder may apply to licenses won in markets with a population of 500,000 or less. This proposal is consistent with the approach adopted by the Commission in the forward portion of the Broadcast Incentive Auction (Auction 1002), Auction 101, Auction 102, Auction 103, Auction 105, Auction 107, Auction 108, and Auction 110.

22. OEA and WTB seek comment on these proposed caps. Specifically, do the expected capital requirements associated with operating in the AWS–3 bands, the potential number and value of AWS–3 licenses, past auction data, or any other considerations justify a higher or lower cap for either type of bidding credit in this auction? Commenters are encouraged to identify circumstances and characteristics of Auction 113 and/or the spectrum licenses to be made available in the auction that should guide us in establishing bidding credit caps, and to provide specific, data-driven arguments in support of their proposals.

23. OEA and WTB remind applicants applying for designated entity bidding credits that they should take due account of the requirements of the Commission's rules and implementing orders regarding *de jure* and *de facto* control of such applicants. These rules include a prohibition, which applies to all applicants (whether or not they are seeking bidding credits), starting at the short-form application filing deadline, against changes in ownership of the applicant that would constitute an assignment or transfer of control. Under 47 CFR 1.2107(c), the winning bidder must be the entity that files the post-auction long-form application. Pursuant to 47 CFR 1.929(a)(2), any substantial change in ownership or control is classified as a major amendment. Applicants should not expect to receive any opportunity to revise their ownership structure after the filing of their short- and long-form applications, including making revisions to their agreements or other arrangements with interest holders, lenders, or others in order to address potential concerns relating to compliance with the designated entity bidding credit requirements. This policy will help to ensure compliance with the Commission's rules applicable to the award of bidding credits prior to the start of bidding in this auction, which will involve competing bids from those who do and do not seek bidding credits, and thus preserves the integrity of the

auctions process. In furtherance of this policy, applicants will not be permitted to change their bidding credit type selection (*i.e.,* from small business to rural service provider, or vice versa) after the short-form deadline. OEA and WTB also believe that this will meet the Commission's objectives in awarding licenses through the competitive bidding process, which include ''the development and rapid deployment of new technologies, products, and services for the benefit of the public . . . without administrative or judicial delays'' and ''promoting economic opportunity and competition and ensuring that new and innovative technologies are readily accessible to the American people by avoiding excessive concentration of licenses and by disseminating licenses among a wide variety of applicants, including small businesses.''

D. Prohibition of Certain Communications

24. Section 1.2105(c)(1) of the Commission's rules, 47 CFR 1.2105(c)(1), provides that, subject to specified exceptions, after the short-form application filing deadline, all applicants are prohibited from cooperating or collaborating with respect to, communicating with or disclosing, to each other or any nationwide provider of communications services that is not an applicant, or, if the applicant is a nationwide provider, any non-nationwide provider that is not an applicant, in any manner the substance of their own, or each other's, or any other applicants' bids or bidding strategies (including post-auction market structure), or discussing or negotiating settlement agreements, until after the down payment deadline. Section 1.2105(c)(5)(i) of the Commission's rules, 47 CFR 1.2105(c)(5)(i), defines ''applicant'' as including all officers and directors of the entity submitting a short-form application to participate in the auction, all controlling interests of that entity, as well as all holders of partnership and other ownership interests and any stock interest amounting to 10% or more of the entity, or outstanding stock, or outstanding voting stock of the entity submitting a short-form application.

25. The operation of the rule prohibiting certain communications requires that the identification of each ''nationwide provider'' for purposes of 47 CFR 1.2105(c)(1) in connection with each auction. Because AWS–3 spectrum is licensed under the flexible-use rules in 47 CFR part 27 and may be used by licensees for any fixed or mobile service that is consistent with the allocations for the AWS–3 bands, the Commission's identification of three nationwide providers in its most recent *Communications Marketplace Report,* FCC 24–136 (released December 31, 2024), suggests that OEA and WTB should identify those same entities as nationwide providers for purposes of AWS–3 licenses and Auction 113. Identifying ''nationwide providers'' in this manner for the purpose of implementing the Commission's competitive bidding rules is consistent with the approach used in Auctions 101, 102, 103, 105, 110, and 108 and the forward auction portion of the Broadcast Incentive Auction (Auction 1002). Accordingly, consistent with the procedures adopted for prior auctions of flexible-use licenses for advanced wireless services, OEA and WTB propose to identify AT&T, T-Mobile, and Verizon as ''nationwide providers'' for the purpose of implementing its competitive bidding rules in Auction 113, including 47 CFR 1.2105(c), the Commission's rule prohibiting certain communications. OEA and WTB seek comment on this proposal. Commenters that disagree with this proposed designation of nationwide providers are encouraged to articulate alternative methodologies by which OEA and WTB should identify nationwide providers for purposes of the prohibited communications rule.

E. Information Procedures During the Auction Process

26. As an additional safeguard to prevent the sharing of information about applicants' bids and bidding strategies and to discourage anti-competitive strategic behavior, OEA and WTB propose to limit information available in Auction 113 so that bidders placing particular bids will not be identified until after the bidding has closed. The Commission has instituted limited information procedures in most recent spectrum auctions. While the Commission generally makes available to the public information provided in each applicant's FCC Form 175 following the initial review by Commission staff, OEA and WTB propose to not make public until after bidding has closed: (1) the licenses that an applicant has selected for bidding in its short-form application (FCC Form 175), (2) the amount of any upfront payment made by or on behalf of an applicant for Auction 113, (3) any applicant's bidding eligibility, and (4) any other bidding-related information that might reveal the identity of the bidder placing a bid.

27. As in past Commission auctions, OEA and WTB will not make public during a bidding round any real-time information on bidding activity. Bidders would have access both during and after a round to information related to their own bidding and bid eligibility. For example, bidders would be able to view their own level of eligibility and submitted activity through the FCC auction bidding system.

28. After the close of bidding, bidders' license selections, upfront payment amounts, bidding eligibility, bids, and other bidding-related information would be made publicly available.

29. OEA and WTB seek comment on the above details of this proposal for implementing limited information procedures, or anonymous bidding, in Auction 113. Commenters opposing the use of anonymous bidding in Auction 113 should explain their reasoning and propose alternative information rules.

F. Upfront Payments and Bidding Eligibility

30. In keeping with the Commission's usual practice in spectrum license auctions, OEA and WTB propose that each applicant would be required to submit an upfront payment as a prerequisite to becoming qualified to bid. As described herein, an upfront payment is a refundable deposit made by an applicant to establish its eligibility to bid on licenses. Upfront payments protect against frivolous or insincere bidding and provide the Commission with a source of funds from which to collect payments owed at the close of bidding. OEA and WTB note that under 47 CFR 1.2106, any auction applicant that, pursuant to 47 CFR 1.2105(a)(2)(xii), certifies that it is a former defaulter must submit an upfront payment equal to 50 percent more than the amount that otherwise would be required. With these considerations in mind, the Commission propose upfront payments for the paired licenses based on dollars per MHz-pop in three population tiers. Specifically, OEA and WTB propose upfront payments of $0.005 per MHz-pop for the paired licenses in areas with a population of less than 300,000, $0.01 per MHz-pop for the paired licenses in areas with a population of at least 300,000 and less than 1,000,000, $0.025 per MHz-pop for the paired licenses in areas with a population of at least 1,000,000, and $0.005 per MHz-pop for the unpaired licenses. For all licenses, upfront payments would be subject to a minimum of $500 per license. The results of these calculations will be rounded using the Commission's standard rounding procedures for auctions: results above $10,000 are rounded to the nearest $1,000; results

below 10,000 but above $1,000 are rounded to the nearest $100; and results below $1,000 are rounded to the nearest $10. The proposed upfront payments equal approximately half the proposed minimum opening bids, which are established as described herein.

31. OEA and WTB seek comment on the upfront payment amounts, which are specified in Attachment A file on the Auction 113 website at *www.fcc.gov/auction/113.* If commenters believe that these upfront payment amounts are not reasonable amounts, they should explain their reasoning and suggest an alternative amount.

32. OEA and WTB further propose that the amount of the upfront payment submitted by a bidder will determine its initial bidding eligibility for the auction in bidding units. The upfront payment does not limit the dollar amounts of the bids that a bidder may submit. Bidder eligibility and bidding activity are measured in bidding units. OEA and WTB propose to assign each license that is available to be assigned a specific number of bidding units, equal to one bidding unit per $100 of the upfront payment listed in the Attachment A file available on the Auction 113 website at *www.fcc.gov/auction/113.* Thus, a bidder's initial bidding eligibility in bidding units would be equal to a bidding unit for each $100 of the bidder's upfront payment. The number of bidding units for a given license is fixed and does not change during the auction as prices change. If an applicant is found to be qualified to bid on more than one license being offered in Auction 113, such bidder may place bids on multiple licenses, provided that the total number of bidding units associated with those licenses does not exceed its current eligibility. A bidder cannot increase its eligibility during the auction; it can only maintain or decrease its eligibility. Thus, in calculating its upfront payment amount and hence its initial bidding eligibility, an applicant for Auction 113 must determine the maximum number of bidding units on which it may wish to bid in any single round and submit an upfront payment amount covering that total number of bidding units. OEA and WTB seek comment on these proposals.

G. Auction Delay, Suspension, or Cancellation

33. For Auction 113, OEA and WTB propose that at any time before or during the bidding process, OEA, in conjunction with WTB, may delay, suspend, or cancel bidding in the event of a natural disaster, technical obstacle, network interruption, administrative or weather necessity, evidence of an auction security breach or unlawful bidding activity, or for any other reason that affects the fair and efficient conduct of competitive bidding. In such case, OEA would notify participants of any such delay, suspension, or cancellation by public notice and/or through the FCC auction bidding system's announcement function. If the bidding is delayed or suspended, OEA, in its sole discretion, may elect to resume the auction starting from the beginning of the current round or from some previous round, or it may cancel the auction in its entirety. OEA and WTB emphasize that they would exercise the authority to delay, suspend, or cancel bidding in Auction 113 solely at their discretion. OEA and WTB seek comment on this proposal.

H. Deficiency Payments and Additional Default Payment Percentage

34. Any winning bidder that defaults or is disqualified after the close of an auction (*i.e.,* fails to remit the required down payment by the specified deadline, fails to submit a timely long-form application, fails to make full and timely final payment, or is otherwise disqualified) would be liable for a default payment under 47 CFR 1.2104(g)(2). This payment consists of a deficiency payment, equal to the difference between the amount of the bidder's winning bid and the amount of the winning bid the next time a license covering the same spectrum is won in an auction, plus an additional payment equal to a percentage of the defaulter's bid or of the subsequent winning bid, whichever is less.

35. The Commission's rules provide that, in advance of each auction, it will establish a percentage between 3% and 20% of the applicable winning bid to be assessed as an additional default payment. As the Commission has indicated, the level of this additional payment in each auction will be based on the nature of the service and the licenses being offered.

36. As noted in the *CSEA/Part 1 Report and Order,* 71 FR 6214, February 7, 2006, defaults weaken the integrity of the auction process and may impede the deployment of service to the public, and an additional default payment of up to 20% will be more effective in deterring defaults than the 3% used in some earlier auctions. For Auction 113, OEA and WTB propose to establish an additional default payment of 15% which is consistent with that adopted for Auction 97, as well as more recent spectrum auctions, including Auctions 101, 102, 103, 107, 108 and 110. OEA and WTB seek comment on this proposal.

IV. Proposed Bidding Procedures

37. OEA and WTB seek comment on a proposed ''clock-1'' auction format—a multiple-round auction format with bidding on specific-frequency licenses. This format, if adopted, would follow the basic structure of the ascending clock auction used in previous FCC spectrum license clock auctions, in which bidding in the clock phase was conducted for multiple generic spectrum blocks in a geographic area, but as in Auction 108, bidding in the clock phase would be for specific licenses rather than on generic blocks of spectrum. OEA and WTB refer to this specific format as a clock auction with a supply of one item, hence the ''clock-1'' auction format nomenclature. Auction 113 would not include a separate assignment phase because none is needed with a format that provides for bidding on specific licenses.

38. OEA and WTB are releasing a technical guide concurrently with the *AWS–3 Auction 113 Comment Public Notice.* The technical guide supplements the information in the *AWS–3 Auction 113 Comment Public Notice* and provides the mathematical details and algorithms of the procedures described herein.

A. Clock-1 Auction Structure

39. Under the proposed clock-1 format, each bidder would be able to bid for specific licenses in the clock bidding rounds, in license-by-license bidding. The auction would proceed in a series of rounds, with bidding conducted simultaneously for all licenses available in the auction. Consistent with prior FCC clock auctions, during each bidding round, the bidding system would announce a clock price for each license, and a bidder would indicate its demand for licenses at the prices associated with the current round. OEA and WTB also propose that a bidder be able to instruct the bidding system to make proxy bids on its behalf. After the first round, intra-round bids would also be allowed.

40. The clock price for a license would increase from round to round if more than one bidder has demand for that license at its clock price, creating excess demand for the license. The bidding rounds would continue until, for all licenses, the number of bidders demanding each license does not exceed one. Under the proposed procedures, a bidder would not be able to reduce its demand if the reduction would cause aggregate demand to fall below one for the license. Once bidding rounds stop, the bidder with demand for a license would become the winning bidder.

1. Individual Licenses in Two Geographic Area Types

41. Auction 113 will offer 200 geographic-based licenses in the 1695–1710 MHz, 1755–1780 MHz, and the 2155–2180 MHz bands. The Auction 113 inventory consists of licenses in EAs and CMAs. The 48 EA licenses include frequency blocks designated A1, B1, H, I, and/or J; the 152 CMA licenses are all for frequency block G. In Auction 113, only one geographic area (EA173) has more than one frequency block available and it includes both the H and the I blocks.

2. Bidding Rounds

42. Under the clock-1 auction format, Auction 113 would consist of multiple, sequential bidding rounds, each followed by the release of round results. Bidding would be conducted simultaneously for all licenses available in the auction. In the first bidding round of Auction 113, a bidder would indicate the licenses it demands at the opening prices. During each subsequent bidding round, the bidding system would announce a start-of-round price and a clock price for each license, and qualified bidders would indicate the licenses for which they wish to bid at the prices associated with the current round. Bidding rounds would be open for predetermined periods of time. Bidders would be subject to activity and eligibility rules that govern the pace of the auction.

43. OEA and WTB propose that, as with any FCC spectrum auction, the initial bidding schedule for a clock-1 auction would be announced in a public notice to be released at least one week before the start of bidding, and OEA would retain the discretion to adjust the bidding schedule to maintain an auction pace that reasonably balances speed with the bidders' needs to study round results and adjust their bidding strategies. OEA and WTB seek comment on this proposal. Any adjustments to the bidding schedule may include changes in the amount of time for bidding rounds, the amount of time between rounds, and/or the number of rounds per day, and would depend upon bidding activity and other factors.

44. OEA and WTB propose to conduct Auction 113 over the internet. Under the clock-1 format, a bidder would submit its bids either by using the bidding system's upload function, which allows bid files in a comma-separated values (CSV) text format to be uploaded, or through the user interface in the bidding system. The bidding system would allow a bidder to submit bids only for licenses the bidder selected on its FCC Form 175 and for which the bidder has sufficient bidding eligibility.

45. During each open bidding round, a bidder would be able to modify any existing bids already placed in the round through the user interface or by uploading a new file of all its bids, which would replace all bids previously submitted in the round.

46. As in other Commission auctions, OEA and WTB will facilitate auction participation by providing qualified bidders with a toll-free telephone number for an auction bidder line prior to the start of bidding. OEA and WTB propose that, in addition to submitting bids through the FCC's online bidding system, bidders would have the option of placing bids by telephone through this dedicated auction bidder line. OEA and WTB seek comment on this proposal.

3. Stopping Rule

47. As in previous FCC clock auctions, under the clock-1 format OEA and WTB propose to use for Auction 113, OEA and WTB propose to use a simultaneous stopping rule, under which all licenses would remain available for bidding until the bidding stops simultaneously on every license. Specifically, bidding would close for all licenses after the first round in which no license has any excess demand. Consequently, under this approach, it is not possible to determine in advance how long Auction 113 would last. OEA and WTB seek comment on this proposal.

4. Availability of Bidding Information

48. OEA and WTB propose that the bidding system would disclose, after each round of Auction 113, clock auction round results including, for each license, the aggregate demand, the posted price of the last completed round, and the clock price for the next round. The identities of bidders making specific bids would not be disclosed until after the close of bidding in the auction.

49. Each bidder would have access to additional information related to its own bidding and bid eligibility. Specifically, after the bids of a round have been processed, the bidding system would inform each bidder of the licenses it currently demands (its processed demand) and its eligibility for the next round. OEA and WTB seek comment on this proposal with respect to the availability of bidding information.

5. Activity Rule

50. In order to ensure that the auction closes within a reasonable period of time, an activity rule requires bidders to bid actively throughout the auction, rather than wait until late in the auction before participating, an approach that is routinely used in multiple-round auctions. In the proposed clock-1 auction, a bidder's activity in a round for purposes of the activity rule would be the sum of the bidding units associated with the bidder's demands as applied by the auction system during bid processing (its processed demand). A bidder would be required to be active on a specific percentage (the activity requirement percentage) of its current bidding eligibility during each round of the auction. Failure to maintain the requisite activity level would result in a reduction in the bidder's eligibility, possibly curtailing or eliminating the bidder's ability to place bids in subsequent rounds of the auction.

51. Under this auction format, a bidder would be required to maintain a fixed, high level of activity in each round of Auction 113 in order to maintain its bidding eligibility. Specifically, in each round of Auction 113, a bidder would be required to be active on between 90% and 100% of its bidding eligibility in all rounds to maintain its bidding eligibility, with the specific percentage within this range to be set for each round. OEA and WTB propose to set the activity requirement percentage for Auction 113 initially at 95%. Thus, the activity rule would be satisfied when a bidder has bidding activity on licenses with bidding units that total 95% of its current eligibility in the round. If the activity rule is met, then the bidder's eligibility would not change for the next round. If the activity rule is not met in a round, the bidder's eligibility would be reduced such that the activity rule is satisfied. Bidding activity would be based on the bids that are submitted *and* applied by the FCC auction bidding system. That is, if a bidder bids to reduce its demand for a license, but the FCC auction bidding system cannot apply the request because demand for that license would fall below one, then the bidder's activity would reflect its unreduced demand. Under the clock-1 format, the FCC auction bidding system would not apply a bid to reduce demand for an individual license if the reduction would cause the aggregate demand for that license to drop to zero (*i.e.,* below the available supply of one). OEA and WTB seek comment on this proposal.

52. Pursuant to this proposal, OEA would retain the discretion to change

the activity requirement percentage during the auction to help manage the pace of bidding to ensure that the auction closes within a reasonable period of time. The bidding system would announce any such changes in advance of the round in which they would take effect, giving bidders adequate notice to adjust their bidding strategies.

53. OEA and WTB also seek comment on procedures by which, after Round 1, a bidder may submit bids with bidding units totaling up to a *contingent bidding limit* greater than or equal to the bidder's current bidding eligibility for the round, as in the four most recent FCC clock auctions (Auctions 105, 107, 108, and 110). In Round 1, a bidder would be allowed to submit bids with bidding units totaling up to the bidder's initial bidding eligibility. A bidder's contingent bidding limit would be calculated as its current eligibility times a *contingent bidding percentage* equal to or greater than 100%. The Commission has previously referred to the *contingent bidding limit* as the *activity upper limit,* and similarly, to the *contingent bidding percentage* as the *activity limit percentage.* Those terms were modified before Auction 110 to remind bidders that bids submitted using the contingent bidding limit will be applied only under certain circumstances. For Round 1, the contingent bidding limit would be 100% of the bidder's initial bidding eligibility. A bidder's use of the contingent bidding limit would be optional.

54. Allowing a bidder to submit bids with associated bidding activity greater than its current bidding eligibility would potentially help a bidder avoid having its eligibility reduced as a result of submitted bids that could not be applied during bid processing. However, even under these additional procedures, the bidder's activity as applied by the auction system during bid processing would not exceed the bidder's current bidding eligibility. That is, if a bidder were allowed to submit bids with associated bidding units exceeding 100% of its current bidding eligibility, its processed activity would never exceed its eligibility.

55. OEA and WTB seek comment on whether they should allow bidders to submit bids with associated bidding activity greater than their current bidding eligibility. Would the contingent bidding limit still be useful with the limited inventory available in Auction 113? Would the contingent bidding limit add unnecessary complexity? If adopted, OEA and WTB would set the initial contingent bidding percentage at 120%, which would apply starting in Round 2, subject to change in subsequent rounds within a range of 100% to 140%.

B. Acceptable Bids

1. Reserve Prices

56. OEA and WTB seek comment on any use of a reserve price for Auction 113 and/or opening bid amounts, as is done prior to the start of each auction, consistent with the statutory mandate of 47 U.S.C. 309(j), as amended. A reserve price is an absolute minimum price below which a license will not be sold in a given auction. An opening bid, on the other hand, is the minimum bid price set at the beginning of the auction below which no bids are accepted. It is generally used to accelerate the competitive bidding process. It is also possible for a reserve price and an opening bid to be the same amount. OEA and WTB do not propose to establish reserve prices other than the opening bid amounts for the licenses to be offered in Auction 113. The Commission adopted reserve prices for the auction of AWS–3 licenses in Auction 97, pursuant to 47 CFR 1.2104(c) and the Commercial Spectrum Enhancement Act (CSEA) because the CSEA required the Commission to prescribe methods by which the total cash proceeds from any auction of licenses authorizing the use of eligible frequencies would equal at least 110% of the total estimated relocation costs of eligible Federal entities. In light of the separate costs associated with the different bands, the Commission established two reserve prices in Auction 97, one for licenses for the 1695–1710 MHz band and a second for licenses for the paired 1755–1780/2155–2180 MHz band. At the conclusion of Auction 97, the reserve prices were exceeded by the applicable net winning bids, thereby satisfying that statutory requirement. Given that the results of Auction 97 fulfilled the purpose of the reserve prices in that auction, that CSEA provision is not a basis to adopt a reserve here. OEA and WTB do not believe that there is any other public interest reason to establish reserve prices, beyond opening bid amounts, for the licenses being offered in Auction 113. However, if commenters believe that a reserve price would be in the public interest, OEA and WTB invite their comments and request that they describe what specific factors lead them to that conclusion.

2. Opening Prices

57. Opening prices would serve as initial clock prices under a clock-1 auction format. In Round 1 of the auction, qualified bidders would indicate the licenses they demand at the opening prices.

58. OEA and WTB will calculate opening prices on a license-by-license basis based on $0.01 per MHz-pop for the paired licenses in areas with a population of less than 300,000, $0.02 per MHz-pop for the paired licenses in areas with a population of at least 300,000 and less than 1,000,000, $0.05 per MHz-pop for the paired licenses in areas with a population of at least 1,000,000, and $0.01 per MHz-pop for the unpaired licenses. For all licenses, opening prices would be subject to a minimum of $1,000 per license. The results of these calculations will be rounded using the Commission's standard rounding procedures for auctions: results above $10,000 are rounded to the nearest $1,000; results below $10,000 but above $1,000 are rounded to the nearest $100; and results below $1,000 are rounded to the nearest $10. OEA and WTB seek comment on these amounts, which are specified in the Attachment A file on the Auction 113 website at *www.fcc.gov/auction/113.* If commenters believe that these opening prices would result in unsold licenses or are not reasonable, they should explain why.

59. In establishing opening prices, OEA and WTB particularly seek comment on factors that reasonably could have an impact on bidders' valuation of the spectrum, including the type of service offered, market size, population covered by the proposed facility, and any other relevant factors. Commenters should support their claims with valuation analyses and suggested amounts or formulas for opening prices.

60. Commenters may also wish to address the general role of opening prices in managing the pace of the auction. For example, commenters could compare using opening prices—*e.g.,* by setting higher opening prices to reduce the number of rounds it takes licenses to reach their final prices—to other means of controlling auction pace, such as changes to bidding schedules or activity requirements.

3. Clock Price Increments

61. Under clock-1 procedures for Auction 113, after bidding in the first round and before each subsequent round, for each license, the FCC auction bidding system would announce the start-of-round price and the clock price for the upcoming round—that is, the lowest price and the highest price at which bidders can submit bids during the round. The start-of-round price would depend upon aggregate demand

for the license in the previous round. If aggregate demand for the license at the clock price exceeded one, the start-of-round price for the upcoming round would be equal to the clock price in the previous round. If aggregate demand equaled one at a price (clock price or intra-round price) in the previous round, then the start-of-round price for the upcoming round would be equal to the lowest price at which demand equaled one. If aggregate demand was zero in the previous round, then the start-of-round price for the upcoming round would be the same as the start-of-round price in the previous round.

62. The clock price for a license for a round would be set by adding a percentage increment to the start-of-round price. OEA and WTB propose that OEA would set the initial increment percentage at 10%, and potentially would adjust the increment percentage within a range of 5% to 30% inclusive as rounds continue. OEA would retain the discretion to cap the increment if the total dollar amount of the increment (the difference between the clock price and the start-of-round price) would exceed a certain amount. The 5% to 30% increment range and cap would allow us to set a percentage that manages the auction pace and takes into account bidders' needs to evaluate their bidding strategies. OEA and WTB seek comment on this proposal.

4. Intra-Round Bids

63. OEA and WTB propose that in this clock-1 auction, in a round after the first round, a bidder would be permitted to make intra-round bids by indicating a point between the start-of-round price and the clock price at which its demand for a license changes. In placing an intra-round bid for a license, a bidder would indicate a specific price and the changed quantity it demands (either zero or one) if the price for the license should increase beyond that price.

64. Intra-round bid amounts would be limited to multiples of $10 for prices below $10,000; to multiples of $100 for prices between $10,000 and $100,000, inclusive; and to multiples of $1,000 for prices above $100,000. Limiting intra-round bid amounts to certain multiples may deter some types of anticompetitive bidding behavior.

65. Intra-round bids would be optional; a bidder may choose to express its demands only at the start-of-round price or the clock price. Using intra-round bidding would allow the auction system to use relatively large percentage increments, thereby speeding up the auction without running the risk that a jump in the clock price will overshoot the market clearing price—the point at which only one bidder demands the license—because bidders would be able to indicate the specific amount below the clock price at which they stop demanding the license. OEA and WTB seek comment on this proposal.

5. Proxy Instructions

66. OEA and WTB also seek comment on providing each bidder with the option to use proxy bidding under the clock-1 format. With proxy bidding, a bidder could submit a proxy instruction to the bidding system to reduce its demand for a license to zero at a price higher than the current round's clock price—*i.e.,* at a price in a future round. Proxy instructions to increase a bidder's demand for a license at a given price would not be permitted.

67. Under these procedures, if a proxy instruction has been submitted, the bidding system would automatically submit a proxy bid to maintain the bidder's demand for the license in every subsequent round as long as the clock price for the round is less than the proxy instruction price. In the first round in which the clock price is greater than or equal to the proxy instruction price, the bidding system would submit a proxy bid on behalf of the bidder to reduce the bidder's demand for that license to zero at the proxy instruction price. Proxy bids would be processed by the bidding system in the same way as bids submitted by the bidder in the round.

68. In the case that a bid to reduce demand, placed according to proxy instructions or submitted by the bidder in the round, is not applied during bid processing, the bidding system would automatically generate a proxy instruction at the bid price and, in the following rounds, submit proxy bids on behalf of the bidder according to that proxy instruction.

69. In any round, a bidder can remove or modify any existing proxy instructions or proxy bids for the round by resubmitting its bids (through the user interface or file upload), including the modifications, which would replace any bids and proxy instructions previously submitted. The system would take the last bid submission as that bidder's bids and proxy instructions.

70. As is the case for intra-round bid amounts, proxy instruction prices would be limited to multiples of $10 for prices below $10,000; to multiples of $100 for prices between $10,000 and $100,000, inclusive; and to multiples of $1,000 for prices above $100,000. Proxy instructions would not be publicly released either during or after the auction.

6. Bid Types

71. Under the clock-1 auction format proposed for Auction 113, a bidder would be able to make only ''simple'' bids. A bid would indicate a desired quantity (in this auction, either one or zero) at a price. A bidder that is willing to maintain its demand for a license at the new clock price would submit a bid for the license at the clock price, indicating that it is willing to pay up to that price, if need be, for the license. A bidder with processed demand for a license that wishes to reduce its demand for that license would submit a bid for a quantity of zero indicating the price—either the clock price or an intra-round price—at which it wishes to reduce its demand. A bidder that wishes to start bidding for a license for which it does not have processed demand would submit a bid to increase demand to one. A bid to increase demand indicates that the bidder is willing to buy the license at any price up to the clock price (regardless of the bid price). As described herein and in the Auction 113 Technical Guide, bid prices are used to determine the order in which bids are processed.

72. Unlike in some other FCC clock auctions, a ''switch'' bid to reduce demand for one license in a market and increase demand for another license in the same market would not be permitted. Because this auction inventory contains only one market in which there are multiple licenses that may be considered similar, a ''switch bid'' capability would apply only in that single market. Only one geographic area (EA173) has more than one frequency block available and it includes both the H and the I blocks. Therefore, permitting ''switch'' bids would add complexity for little or no benefit for most Auction 113 bidders. Under the clock-1 format OEA and WTB propose a bidder that wishes to bid on both licenses within a market that has two licenses would bid on those two licenses separately, with each license constituting a separate category with a supply of one.

73. Bids to maintain demand would always be applied by the auction bidding system during bid processing. Bids to change demand would not necessarily be applied during bid processing. OEA and WTB seek comment on this proposal.

7. Missing Bids

74. Under the proposed clock-1 auction format, a bidder would be required to submit bids in every round

(as in other FCC spectrum license clock auctions) or have a proxy instruction in place, even if its demands at the new round's prices are unchanged from the previous round. If a bidder does not submit new bids for all of the licenses for which it had processed demand from the previous round and does not have proxy instructions in place, the system will consider the bidder to have missing bids.

75. Missing bids would be treated by the auction bidding system as requests to reduce the bidder's demand for the license to a quantity of zero. If these requests are applied, then a bidder's bidding activity, and its bidding eligibility for the next round, may be reduced. Under the clock-1 format OEA and WTB propose for Auction 113, a bidder would be permitted to enter proxy instructions as a safeguard against having its eligibility inadvertently reduced. OEA and WTB seek comment on this proposal.

C. Bid Processing

76. After each bidding round under the proposed clock-1 auction format, bids would be processed according to the bid processing procedures described below to determine the processed demand of each bidder for each license and the posted price for each license. The posted price would serve as the start-of-round price for the next round. OEA and WTB seek comment on the full bid processing proposal detailed herein.

1. No Excess Supply Rule for Bids To Reduce Demand

77. Bidding would be subject to a ''no excess supply'' rule, wherein the FCC auction bidding system would not allow a bidder to reduce its demand for a license if the reduction would cause demand to fall below one, which would create excess supply. Therefore, if a bidder has been bidding for a specific license and submits a bid to reduce its demand to zero if the price should increase above the price in its bid, the bidding system would treat the bid as a request to reduce demand that would be applied only if the ''no excess supply'' rule would be satisfied. However, if a bid to reduce demand is not applied, the bidder will not be asked to pay more for the license than the highest price it agreed to pay.

2. Eligibility Rule for Bids To Increase Demand

78. The bidding system would not allow a bidder to increase its demands for licenses if the total number of bidding units associated with the bidder's demands exceeds the bidder's bidding eligibility for the round. Therefore, if a bidder submits a bid to add a license for which it did not have processed demand in the previous round, the FCC auction bidding system would treat the bid as a request to increase demand that would be applied only if that would not cause the bidder's activity to exceed its eligibility.

3. Processed Demand

79. After a round ends, the bidding system would first consider and apply all bids to maintain demand at the clock price. Bids to maintain a bidder's processed demand at the clock price would always be applied. Then the bidding system would process bids to change demand in order of price point (and by pseudo-random number in the case of tied price points), where the price point represents the percentage of the bidding interval for the round.

80. The system would consider bids at the lowest price point across all licenses, then look at bids at the next price point across all licenses, and so on up to bids at the clock price. As it considers a submitted bid during bid processing to determine whether a bidder's request to reduce demand for a license can be applied, the bidding system would determine whether there is excess demand for that license at that point in the processing. To determine whether a request to increase demand can be applied, the auction bidding system would evaluate the activity associated with the bidder's most recently determined demands at that point in the processing. If a bid could be applied, the licenses that the bidder holds at that point in the processing would be adjusted, and aggregate demand for the license would be recalculated accordingly.

81. If a bid could not be applied at the price point indicated in the bid, *e.g.,* because demand would fall below one or because the bidder's activity (as applied by the auction system) would exceed its eligibility, the bid would be held in a queue and reconsidered, again in price point order, if later in the processing there should be excess demand for that license or if the bidder's activity is reduced sufficiently after other bids are processed.

82. After considering the bids at the lowest price point, the bidding system would then consider the bid submitted at the next lowest price point, applying the bid or not given the most recently determined demands of bidders. Any unfulfilled requests would again be held in the queue, and aggregate demand would again be recalculated. Every time a bid was applied, the bids held in the queue would be reconsidered, in the order of the original price points of the bids (and by pseudo-random number, in the case of tied price points). The auction bidding system would not carry over unfulfilled bid requests to the next round, however, except for generating proxy instructions in the case of bids to reduce demand to zero that are not applied. The bidding system would advise bidders of the status of their bids when round results are released.

4. Price Determination

83. During bid processing, the bidding system also would determine, based on aggregate demand, the posted price for each license for the round, which would serve as the start-of-round price for the next round. The price for a license would increase from round to round if there was excess demand for the license in the round.

84. If, at the end of a round, aggregate demand for a license exceeds the supply of one, the posted price for the round would equal the clock price. If a reduction in demand was applied during the round that caused demand to fall to one, the posted price would be the price at which the reduction was applied. If aggregate demand is zero, or if aggregate demand is one and no bid to reduce demand was applied for the license, then the posted price would equal the start-of-round price for the round. The range of acceptable bid amounts for the next round would be set by adding the percentage increment to the posted price.

85. Under these procedures, if a bid to reduce demand is not applied, the bidder would not face a price for the license that is higher than its bid price. Specifically, if a bid to reduce demand is not applied, it must be the case that there is no excess demand for the license at the bidder's price and, therefore, the posted price would not be higher than that price.

86. After the bids of the round have been processed, if the stopping rule has not been met, the FCC auction bidding system would announce clock prices to indicate a range of acceptable bids for the next round. Each bidder would be informed of the licenses for which it has processed demand as well as of the aggregate demand and the posted price for each license.

5. Winning Bids

87. A bidder with processed demand for a license at the time the stopping rule is met would become the winning bidder for the license. The final price for a license would be the posted price for the final round. This and other bid processing details are addressed in the Auction 113 Technical Guide.

V. Tutorial and Additional Information for Applicants

88. OEA and WTB intend to provide additional information on the bidding system and to offer demonstrations and other educational opportunities for applicants in Auction 113 to familiarize themselves with the FCC auction application system and the auction bidding system. For example, OEA and WTB intend to release online tutorials that will help applicants understand the procedures to be followed in the filing of their auction short-form applications (FCC Form 175) and on the bidding procedures for Auction 113, as well as a Technical Guide that supplements the information in the *AWS–3 Auction 113 Comment Public Notice* and provides the mathematical details and algorithms of the procedures described herein.

A. Supplemental Initial Regulatory Flexibility Analysis

89. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Office of Economics and Analytics (OEA) and the Wireless Telecommunications Bureau (WTB) have prepared this Supplemental Initial Regulatory Flexibility Analysis (Supplemental IRFA) of the proposed policies and rules addressed in the *AWS–3 Auction 113 Comment Public Notice* assessing the possible significant economic impact on a substantial number of small entities, to supplement the Commission's Initial and Final Regulatory Flexibility Analyses completed in the *2014 AWS–3 Report and Order,* the *2025 AWS–3 NRPM,* and other Commission orders pursuant to which Auction 113 will be conducted. OEA and WTB request written public comments on this Supplemental IRFA. Comments must be identified as responses to the Supplemental IRFA and must be filed by the same deadline for comments specified in the **DATES** section of this document. The Commission will send a copy of the *AWS–3 Auction 113 Comment Public Notice,* including the Supplemental IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA). In addition, the *AWS–3 Auction 113 Comment Public Notice* and Supplemental IRFA (or summaries thereof) will be published in the **Federal Register**.

90. *Need for, and Objectives of, the Proposed Rules.* The *AWS–3 Auction 113 Comment Public Notice* sets forth the proposed auction procedures and rules for small and other entities that seek to bid in Auction 113 and seeks comment on those proposals. The licenses in Auction 113 are being offered pursuant to the Spectrum and Secure Technology and Innovations Act, which directs the Commission to initiate a system of competitive bidding to grant licenses for spectrum in its inventory in the AWS–3 spectrum bands. Auction 113 will auction geographic-based licenses in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz bands (collectively, the AWS–3 bands) and will offer individual licenses in two geographic area types: Economic Area (EA) licenses and Cellular Market Area (CMA) licenses. Licenses in the AWS–3 bands previously were offered in Auction 97, however not all of the licenses offered in Auction 97 were assigned following that auction. The licenses for the unassigned AWS–3 spectrum that are available in the Commission's inventory as of December 23, 2024 will be offered in Auction 113.

91. Licenses in the 1695–1710 MHz band are being made available on a shared basis with incumbent Federal meteorological-satellite (MetSat) data users. In addition, licenses in the 1755–1780 MHz band are being made available on a shared basis with a limited number of Federal incumbents indefinitely, and with Federal systems that have or will over time relocate out of the band. Licenses to operate in the 1695–1710 MHz and 1755–1780 MHz bands are subject to the condition that the licensee must not cause harmful interference to an incumbent Federal entity relocating from these bands under an approved Transition Plan, and this condition remains in effect until the National Telecommunications and Information Administration (NTIA) terminates the applicable authorization of the incumbent Federal entity. Further, AWS–3 licensees in the 1755–1780 MHz band must agree to accept interference from incumbent Federal users while they remain authorized to operate in the band. The 2155–2180 MHz band is already allocated for exclusive non-Federal, commercial use. Although there are no Federal users currently licensed or operating in this band, there are non-Federal incumbent licensees in the band, and AWS–3 licensees may have to protect or relocate and/or share in the cost of relocating non-Federal incumbent Fixed Microwave and Broadband Radio Service licensees in the band. Pursuant to the *2014 AWS–3 Report and Order,* AWS–3 licensees in the 1695–1710 MHz and 1755–1780 MHz bands are required to successfully coordinate with Federal incumbent users in these bands prior to operating in designated protection zones. The *FCC/NTIA Coordination Procedures Public Notice* contains various refinements to the previously-defined protection zones for each of these bands, and also provides information and guidance on the overall coordination process for these bands, as contemplated by the *2014 AWS–3 Report and Order,* including informal pre-coordination discussion and the formal process of submitting coordination requests to, and receiving responses to coordination requests from, relevant Federal agencies.

92. OEA and WTB will make information regarding any incumbency, sharing, and/or cost sharing issues in the AWS–3 bands available in the document announcing the auction procedures and final inventory for Auction 113 in order to assist applicants in conducting due diligence research.

93. The *Auction 113 Comment Public Notice* and process is intended to provide notice of and adequate time for potential applicants to comment on proposed auction procedures. To promote the efficient and fair administration of the competitive bidding process for all Auction 113 participants, OEA and WTB seek comment on the following proposed procedures:

- A requirement that any applicant seeking to participate in Auction 113 certify in its short-form application, under penalty of perjury, that it has read the public notice adopting procedures for Auction 113 that will be released in advance of the short-form deadline, and that it has familiarized itself with those procedures and the requirements for obtaining a license and operating facilities in the AWS–3 bands;
- A requirement that any applicant seeking to bid in the 1755–1780 MHz submit a signed statement with its short-form application acknowledging that the applicant's operations the 1755–1780 MHz band may be subject to interference from Federal systems in certain geographic zones, that the applicant must accept interference from such Federal systems in those zones, and that the applicant has considered these risks before submitting any bids for applicable licenses in Auction 113;
- Designation of AT&T, T-Mobile, and Verizon as nationwide providers for the purpose of implementing the Commission's competitive bidding rules in Auction 113;
- Use of anonymous bidding/limited information procedures under which the OEA and WTB will not make public until after the bidding has closed: (1) the licenses that an applicant selects for bidding in its shot-form application (FCC Form 175); (2) the amount of any upfront payment made by or on behalf

of an applicant for Auction 113; (3) an applicant's bidding eligibility; and (4) any other bidding-related information that might reveal the identity of the bidder placing a bid;

- Establishment of bidding credit caps for eligible small businesses in Auction 113;
- Establishment of a bidding credit cap for eligible rural service providers, if a rural service provider bidding credit is adopted for Auction 113;
- Use of a clock auction format with a supply of one (clock-1) for Auction 113 under which each qualified bidder will indicate in successive clock bidding rounds its demand for licenses at the prices associated with the current round;
- Use of a simultaneous stopping rule for Auction 113, under which all licenses would remain available for bidding until the bidding stops on all licenses;
- A specific opening price for each license available in Auction 113;
- A specific upfront payment amount for each license available in Auction 113;
- Establishment of a bidder's initial bidding eligibility in bidding units based on that bidder's upfront payment through assignment of a specific number of bidding units for each license;
- Provision of delegated authority to OEA, in conjunction with WTB, to exercise it discretion to delay, suspend, or cancel bidding in Auction 113 for any reason that affects the ability of the competitive bidding process to be conducted fairly and efficiently;
- Retention by OEA of discretion to adjust the bidding schedule in order to manage the pace of Auction 113;
- Use of an activity rule that would require bidders to be active on between 90% and 100% of their bidding eligibility in all regular clock rounds, with the initial activity requirement percentage set at 95% and with OEA retaining discretion to change the activity requirement percentage during the auction;
- To permit a bidder, in rounds after Round 1, to optionally submit bids with bidding units totaling up to a contingent bidding limit greater than or equal to the bidder's current bidding eligibility for the round, with the contingent bidding limit calculated as the bidder's current eligibility times a contingent bidding percentage equal to or greater than 100%, in order to potentially help a bidder avoid having its eligibility reduced as a result of submitted bids that could not be applied during bid processing;
- Establishment of acceptable bid amounts, including clock price increments and intra-round bids, along with a proposed methodology for calculating such amounts;
- To permit a bidder to submit a proxy instruction to reduce its demand for a license to zero at a price higher than the current round's clock price for Auction 113;
- To permit each bidder to place bids that indicate its desired quantity of blocks (one or zero) for a license at a price (either the clock price or an intra-round price);
- A requirement that bidders indicate their demands in every round or submit appropriate proxy instructions, even if their demands at the new round's prices are unchanged from the previous round, and the treatment of bids that are not reconfirmed as request to reduce demand to a quantity of zero for the license;
- A methodology for processing bids and requests to reduce and increase demand; and

Establishment of an additional default payment of 15% under 47 CFR 1.2104(g)(2)in the event that a winning bidder defaults or is disqualified after the auction.

94. The proposed procedures for the conduct of Auction 113 constitute the more specific implementation of the competitive bidding rules contemplated by 47 CFR parts 1 and 27 of the Commission's rules, and the underlying rulemaking orders, including the *2014 AWS–3 Report and Order,* the *2025 AWS–3 NPRM,* and relevant competitive bidding orders, and are fully consistent therewith.

95. *Legal Basis.* The Commission's statutory obligations to small businesses under the Communications Act of 1934, as amended, are found in 47 U.S.C. 309(j)(3)(B) and 309(j)(4)(D). The statutory basis for the Commission's competitive bidding rules is found in various provisions of the Communications Act of 1934, as amended, including 47 U.S.C. 154(i), 301, 302, 303(e), 303(f), 303(r), 304, 307, and 309(j). The Commission has established a framework of competitive bidding rules pursuant to which it has conducted auctions since the inception of the auction program in 1994 and would conduct Auction 113.

96. *Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply.* The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A ''small business concern'' is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

97. As noted above, Regulatory Flexibility Analyses were incorporated into the *2014 AWS–3 Report and Order* and the *2025 AWS–3 NPRM,* and in those analyses, the Commission described in detail the small entities that might be significantly affected. Accordingly, in the *AWS–3 Auction 113 Comment Public Notice,* the Commission incorporates by reference the descriptions and estimates of the number of small entities from the previous Regulatory Flexibility Analyses in the *2014 AWS–3 Report and Order* and the *2025 AWS–3 NPRM.*

98. *Description of Economic Impact and Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities.* The RFA directs agencies to describe the economic impact of its proposed rules on small entities and the projected reporting, recordkeeping and other compliance requirements of the proposed 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.

99. The Commission designed the auction application process itself to minimize reporting and compliance requirements for small entity and other applicants. In the first part of the Commission's two-phased auction application process, parties desiring to participate in an auction file streamlined, short-form applications in which they certify under penalty of perjury as to their qualifications to become a bidder. Eligibility to participate in bidding is based on an applicant's short-form application and certifications, as well as its upfront payment. In the second phase of the process, winning bidders file a more comprehensive long-form application. Thus, an applicant which fails to become a winning bidder does not need to file a long-form application and provide the additional showings and more detailed demonstrations required of a winning bidder. This approach will particularly benefit small entities that seek to participate in the auction because it avoids imposing on an auction applicant/bidder that does not ultimately become a winning bidder the

burden of submitting this additional information.

100. At this time, OEA and WTB do not expect the processes and procedures proposed in the *AWS–3 Auction 113 Comment Public Notice* will require small entities to hire attorneys, engineers, consultants, or other professionals to participate in Auction 113 or to comply with the procedures OEA and WTB ultimately adopt due to the information, resources, and guidance the Commission makes available to potential and actual auction participants. For example, OEA and WTB intend to release an online tutorial that will help applicants understand the procedures for filing of an auction short-form application (FCC Form 175). OEA and WTB also intend to make information on the bidding system available and also offer demonstrations and other educational opportunities for applicants in Auction 113 to familiarize themselves with the FCC auction application system and the auction bidding system. By providing these resources as well as the resources discussed below, OEA and WTB expect small entities that use the available resources to experience lower participation and compliance costs. Nevertheless, while OEA and WTB cannot at this time quantify the cost of compliance with the rules and procedures proposed in the *AWS–3 Auction 113 Comment Public Notice,* they do not believe that the costs of compliance will unduly burden small entities that choose to participate in the auction because the proposals for Auction 113 are similar in many respects to the procedures in previous auctions conducted by the Commission. OEA and WTB anticipate that the information they receive via comments will help the Commission identify and evaluate relevant compliance concerns by small entities, including compliance costs and other burdens that may result from the inquiries OEA and WTB make in the *AWS–3 Auction 113 Comment Public Notice.*

101. *Discussion of Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities.* The RFA directs agencies to describe any significant alternatives to the proposed rules that it has considered in reaching its proposed approach that would accomplish the stated objectives of applicable statutes, and minimize any significant economic impact on small entities, which may include the following four alternatives (among others): ''(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.''

102. In the *AWS–3 Auction 113 Comment Public Notice,* OEA and WTB have taken steps and considered alternatives that seek to minimize any significant economic impact of the Commission's auction procedures on small entities. This is accomplished through, among other things, the many free or low-cost resources it provides potential auction participants. For example, small entities and other auction participants may seek clarification of, or guidance on, compliance with competitive bidding rules and procedures, reporting requirements, and the FCC's auction bidding system. Additionally, an FCC Auctions Hotline provides access to Commission staff for information about the auction process and procedures. Further, the FCC Auctions Technical Support Hotline is another resource which provides technical assistance to applicants, including small business entities, on issues such as access to or navigation within the electronic FCC Form 175 application and use of the FCC's auction bidding system. As discussed herein, small entities may also potentially save consulting costs by utilizing the web-based, interactive online tutorial produced by Commission staff to familiarize themselves with auction procedures, filing requirements, bidding procedures, and other matters related to an auction.

103. Various databases and other sources of information, including the Auctions program websites, and copies of Commission decisions, are also made available to the public without charge, thereby providing a low-cost mechanism for small entities to minimize their research costs prior to and throughout the auction. Further, prior to and at the close of Auction 113, the Commission will post public notices on the Auctions website, which will articulate the procedures and deadlines for the auction. The Commission makes this information easily accessible and without charge to benefit all Auction 113 applicants, including small entities, thereby lowering their administrative costs to comply with the Commission's competitive bidding rules.

104. In addition, prior to the start of bidding in each auction, OEA and WTB propose to make available to bidders various educational materials. For example, eligible bidders will be given an opportunity to become familiar with auction procedures and the bidding system by participating in a mock auction. Further, OEA and WTB intend to conduct Auction 113 electronically over the internet using the Commission's web-based auction system that eliminates the need for bidders to be physically present in a specific location, thereby reducing travel costs for small entities. As in other Commission spectrum auctions, OEA and WTB propose that qualified bidders in Auction 113 would have the option of placing bids by telephone through a dedicated auction bidder line. These mechanisms are made available to facilitate participation in Auction 113 by all eligible bidders, and may result in significant cost savings for small entities that use these alternatives. Moreover, the adoption of bidding procedures in advance of the auction, consistent with statutory directive, is designed to ensure that the auction will be administered predictably and fairly for all small entities and other participants.

105. Lastly, in the *AWS–3 Auction 113 Comment Public Notice,* OEA and WTB seek to promote opportunities and reduce economic barriers to entry for small entities wishing to grow their businesses through the auction process. In keeping with these objectives, for Auction 113, OEA and WTB propose a $25 million cap on the total amount of bidding credits that may be awarded to an eligible small business and a $10 million cap on the total amount of bidding credits that may be awarded to a rural service provider in each auction. In addition, OEA and WTB propose a $10 million cap on the overall amount of bidding credits that any winning designated entity bidder may apply to winning licenses in markets with a population of 500,000 or less. Based on the technical characteristics of AWS–3 licenses and an analysis of past auction data, OEA and WTB anticipate that the proposed caps will allow the majority of small businesses in each auction to take full advantage of the bidding credit program, thereby lowering the relative costs of participation for small businesses. OEA and WTB seek comment on, and will consider alternatives to, the proposed cap levels in an effort to maximize small entity participation in the auction process, while minimizing potential abuse of the bidding credit program, thereby protecting its integrity.

106. OEA and WTB expect to more fully consider the economic impact and alternatives for small entities following the review of comments filed in response to the *AWS–3 Auction 113 Comment Public Notice.* OEA's and

WTB's evaluation of the comments will shape the final alternatives they consider, the final conclusions they reach, and the actions they ultimately take in this proceeding to minimize any significant economic impact that may occur on small entities.

107. *Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules.* None.

Federal Communications Commission.

Gary Michaels,

Deputy Chief, Auctions Division, Office of Economics and Analytics.

[FR Doc. 2025–04452 Filed 3–19–25; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 90, No. 53
Thursday, March 20, 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

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and approval under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology Comments regarding these information collections are best assured of having their full effect if received by April 21, 2025. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: Reporting and Recordkeeping Requirements (United States Grain Standards Act and Agricultural Marketing Act of 1946).

OMB Control Number: 0581–0309.

Summary of Collection: Congress enacted the United States Grain Standards Acts (USGSA) and the Agricultural Marketing Act (AMA) to facilitate the marketing of grain, oilseeds, pulses, rice, and related commodities. These statutes establish standards and terms that accurately and consistently measure the quality of grain and related products, provide for uniform official inspection and weighing, provide regulatory and official service responsibilities, and furnish the framework for commodity quality improvement incentives to both domestic and foreign buyers. The Department of Agriculture (USDA) Agriculture Marketing Service's (AMS) Federal Grain Inspection Service (FGIS) establishes policies, guidelines, and regulations to carry out the objectives of the USGSA and the AMA. The USGSA, AMA, and related regulations can be found at the AMS website.

The USGSA, with few exceptions, requires that grain sold for export and grain sold by grade be officially certified. Official services are also provided, upon request, for grain sold domestically. The AMA authorizes similar inspection and weighing services, upon request, for rice, pulses, flour, corn meal, and certain other agricultural products. Conversely, the regulations issued under the USGSA and AMA require that FGIS collect specific information and keep certain records necessary to carry out requests for official services. Applicants for service must specify the kind and level of service desired, the identification of the product, the location, the amount, and other pertinent information in order that official personnel can efficiently respond to their needs.

Official services under the USGSA are provided by FGIS field offices and official agencies, which may be classified as delegated or designated agencies. Delegated agencies are State agencies delegated authority under the USGSA to provide official inspection and/or weighing services at export port locations in the State. Designated agencies are State or local governmental agencies, or private agencies designated under the USGSA to provide official inspection and/or weighing services at locations other than export port locations. Official agencies provide services on behalf of FGIS and must comply with all regulations, procedures, and instructions in accordance with provisions established under the USGSA. FGIS oversees the performance of these agencies and provides technical guidance as needed.

Official services under the AMA are performed, upon request, on a fee basis for domestic and export shipments either by FGIS employees, individual contractors, or cooperators. Contractors are persons who enter into a contract with FGIS to perform specified inspection services. Cooperators are agencies or departments of the Federal government which have an interagency agreement or State agencies which have a reimbursable agreement with FGIS.

Need and Use of the Information: This information is used by USDA employees and State or private agencies authorized to perform official services under the USGSA or AMA.

USGSA and the AMA regulations require that producers, elevators operators, and/or merchandisers who obtain official inspection, testing, and weighing services keep records pertaining to the lot of grain or related commodity for a period of 3 years. In addition, the regulations issued under the USGSA and the AMA require that FGIS, State, and private personnel who provide official inspection, testing, and weighing services keep such records pertaining to the lot of grain or related commodity for a period of 5 years. This information is used for the purpose of investigating alleged violations of the USGSA and AMA.

Data is used for statistical purposes and the generation of reports within the agency and is shared within other USDA and government agencies as well as external stakeholders for statistical analysis.

Description of Respondents: Business or other for-profit.

Number of Respondents: 9,910.

Frequency of Responses: Recordkeeping; Third party disclosure; Reporting: On occasion; Semi-annually; Annually.

Total Burden Hours: 162,259.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–04730 Filed 3–19–25; 8:45 am]

BILLING CODE 3410–18–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

[Docket ID: FSA–2025–0003]

Information Collection Request; Measurement Service Record

AGENCY: Farm Service Agency, U.S. Department of Agriculture (USDA).

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act requirement, the Farm Service Agency (FSA) is requesting comments from all interested individuals and organizations on an extension of a currently approved information collection request associated with the Measurement Service Record.

DATES: We will consider comments that we receive by May 19, 2025.

ADDRESSES: We invite you to submit comments on the information collection request. You may submit comments, identified by Docket ID: FSA–2025–0003, by following this method: *federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Amy Mitchell, telephone: (202) 720–8954; email: *amy.mitchell@usda.gov.* Persons with disabilities who require alternative mean for communication should contact the USDA's TARGET Center at (202) 720–2600 (Voice) (voice and text telephone (TTY mode)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION:

Description of Information Collection Request

Title: Measurement Service Record.

OMB Control Number: 0560–0260.

Expiration Date: 07/31/2025.

Type of Request: Extension.

Abstract: When a producer requests a measurement of acreage or production from FSA, the producer uses the form FSA–409 (Measurement Service Record) to make the request, which requires a measurement service fee to be paid to FSA. The form is manual. The form is prepared by the FSA County Office personnel when producers come into the office and request a measurement service to be performed. The information is used to create a record of measurement service request and cost to the producer. Information that the producer is required to provide on this form is the farm serial number, program year, farm location, contact person, type of service request (acreage or production).

The producer must pay the cost of the service prior to the service being formed. The form serves as a record of the request, receipt of payment for the producer and documents the results of the service provided. The producer must sign the form to insure the accuracy of what is being requested, the person accepting the funds signs acknowledging receipt of funds and the person performing the service signs the form after completion of the service. The measurement policy and procedure are located in 7 CFR part 718.

There are no changes to the burden hours since the last OMB submission.

For the following estimated total annual burden on respondents, the formula used to calculate the total burden hour is the estimated average time per responses hours multiplied by the estimated total annual responses.

Estimate of Annual Burden: Public reporting burden for the collection of information is estimated to average 15 minutes per response.

Respondents: Producers.

Estimated Number of Respondents: 135,000.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual of Responses: 135,000.

Estimated Average Time per Response: 15 minutes (0.25).

Estimated Total Annual Burden Hours: 33,750 hours.

We are requesting comments on all aspects of this information collection to help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information including the validity of the methodology and assumptions used;

(3) Evaluate the quality, utility, and clarity of the information technology; and

(4) Minimize the burden of the information collection on those who respond through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses where provided, will be made a matter of public record. Comments will be summarized and included in the request for OMB approval of the information collection.

Kimberly Graham,

Acting Administrator, Farm Service Agency.

[FR Doc. 2025–04706 Filed 3–19–25; 8:45 am]

BILLING CODE 3411–E2–P

CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD

[Agency Docket Number: CRCCRRB–2025–0011–N]

Notice of Formal Determination on Records Release

AGENCY: Civil Rights Cold Case Records Review Board.

ACTION: Notice.

SUMMARY: The Civil Rights Cold Case Records Review Board received 58 pages of records from the National Archives and Records Administration (NARA) related to a civil rights cold case incident to which the Review Board assigned the unique identifier 2024–003–062. NARA did not propose any postponements of disclosure. On March 14, 2025, the Review Board determined that the records should be publicly disclosed in the Civil Rights Cold Case Records Collection. By issuing this notice, the Review Board complies with section 7(c)(4) of the Civil Rights Cold Case Records Collection Act of 2018 that requires the Review Board to publish in the **Federal Register** its determinations on the disclosure or postponement of records in the Collection no more than 14 days after the date of its decision.

FOR FURTHER INFORMATION CONTACT: Stephannie Oriabure, Chief of Staff, Civil Rights Cold Case Records Review Board, 1800 F Street NW, Washington, DC 20405, (771) 221–0014, *info@coldcaserecords.gov.*

Authority: Pub. L. 115–426, 132 Stat. 5489 (44 U.S.C. 2107).

Dated: March 17, 2025.

Stephannie Oriabure,

Chief of Staff.

[FR Doc. 2025–04714 Filed 3–19–25; 8:45 am]

BILLING CODE 6820–SY–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Nebraska Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Nebraska Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a series of business meetings via web conference. The purpose of the meetings will be to discuss their draft report on the effects of the Covid–19 pandemic on education in the state.

DATES:

- Tuesday, April 29, 2025 from 4:00 p.m.–5:00 p.m. Central Time
- Thursday, May 22, 2025 from 4:00 p.m.–5:00 p.m. Central Time
- Wednesday, June 25, 2025 from 4:00 p.m.–5:00 p.m. Central Time

ADDRESSES: The meetings will be held via Zoom.

April 29th Meeting

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_1Xkq18yNRyWWvzFlXMqwlw*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Meeting ID: 161 247 5740

May 22nd Meeting

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_SDK9ZeQGSkuqqHQ_ohIUag*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Meeting ID: 161 580 4557

June 25th Meeting

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_Szk1j0e9T4SJhFda_lAcHQ*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Meeting ID: 160 578 8792

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, DFO, at *vmoreno@usccr.gov* or by phone at 434–515–0204.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussions through the above call-in numbers (audio only) or online registration links (audio/visual). An open comment period at each meeting will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individuals who are deaf, deafblind, and/or hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and meeting ID number.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meetings. Written comments may be emailed to Victoria at *vmoreno@usccr.gov*

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meetings. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Nebraska Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

I. Welcome and Roll Call
II. Chair's Comments
III. Committee Business
IV. Public Comment
V. Adjournment

Dated: March 17, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–04794 Filed 3–19–25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Briefing of the Florida Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Florida Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual, public briefing via Zoom at 3:00 p.m. ET on Wednesday, April 9, 2025. The purpose of the briefing is to hear testimony on the Committee's project, ''Voting Rights in Florida''.

DATES: Wednesday, April 9, 2025, from 3:00 p.m.–5:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_E1iBk5IQSq61uEdyvoIL-w.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 160 294 2693.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, Designated Federal Officer, at *mwojnaroski@usccr.gov* or (202) 618–4158.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Melissa Wojnaroski at *mwojnaroski@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 618–4158.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, *www.box.com.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the

Regional Programs Coordination Unit at the above phone number.

Agenda

I. Opening Remarks
II. Panelist Presentations
III. Committee Q&A
IV. Public Comment
V. Closing Remarks
VI. Adjournment

Dated: March 17, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–04793 Filed 3–19–25; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Briefing of the Florida Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Florida Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual, public briefing via Zoom at 11:00 a.m. ET on Tuesday, April 8, 2025. The purpose of the briefing is to hear testimony on the Committee's project, ''Voting Rights in Florida''.

DATES: Tuesday, April 8, 2025, from 11:00 a.m.–1:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_YdtUpsQOSLefb5v5lxwQZQ.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 160 670 9134.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, Designated Federal Officer, at *mwojnaroski@usccr.gov* or (202) 618–4158.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Melissa Wojnaroski at *mwojnaroski@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 618–4158.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, *www.box.com.* Persons interested in the work of this Committee are directed to the Commission's website, *https://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

I. Opening Remarks
II. Panelist Presentations
III. Committee Q&A
IV. Public Comment
V. Closing Remarks
VI. Adjournment

Dated: March 17, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–04795 Filed 3–19–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–165, C–552–840]

Certain Paper Plates From the People's Republic of China and the Socialist Republic of Vietnam: Countervailing Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing countervailing duty (CVD) orders on certain paper plates (paper plates) from the People's Republic of China (China) and the Socialist Republic of Vietnam (Vietnam).

DATES: Applicable March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Mary Kolberg (Vietnam) and Sun Cho (China), AD/CVD Operations, Offices I and V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1785 and (202) 482–6458, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 28, 2025, Commerce published in the **Federal Register** its affirmative final determinations in the CVD investigations of paper plates from China and Vietnam.[1] On March 13, 2025, the ITC notified Commerce of its final determinations, pursuant to section 705(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act by reason of imports of paper plates from China and Vietnam.[2]

Countervailing Duty Orders

Based on the above-referenced affirmative final determinations by the ITC that an industry in the United States is materially injured by reason of subsidized imports of paper plates from China and Vietnam, in accordance with section 705(c)(2) of the Act, Commerce is issuing these CVD orders. Because the ITC determined that imports of paper plates from China and Vietnam are materially injuring a U.S. industry, unliquidated entries of such merchandise entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

In addition, the ITC found that critical circumstances exist with respect to imports from China subject to

[1] *See Certain Paper Plates from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances, in Part,* 90 FR 8281 (January 28, 2025); and *Certain Paper Plates from the Socialist Republic of Vietnam: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances, in Part,* 90 FR 8258 (January 28, 2025) (collectively, *Final Determinations*).

[2] *See* ITC's Letter, ''Investigation Nos. 701–TA–704–705 and 731–TA–1664–1666 (Final),'' dated March 13, 2025.

Commerce's affirmative critical circumstances finding within the meaning of section 705(b)(4)(A) of the Act. As a result of Commerce's affirmative critical circumstances determination under section 705(a)(2) of the Act, and the ITC's affirmative critical circumstances determination under section 705(b)(4)(A) of the Act, retroactive duties will be applied to the relevant imports for a period of 90 days prior to the suspension of liquidation (*i.e.,* 90 days prior to the date of publication of the affirmative *China Preliminary Determination*).[3] The ITC found that critical circumstances did not exist with respect to Vietnam.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct CBP to assess, upon further instruction by Commerce, countervailing duties on all relevant entries of paper plates from China and Vietnam. Countervailing duties will be assessed on unliquidated entries of paper plates from China entered, or withdrawn from warehouse, for consumption, on or after April 2, 2024, which is 90 days prior to the date of publication of the *China Preliminary Determination.*[4] Countervailing duties will be assessed on unliquidated entries of paper plates from Vietnam entered, or withdrawn from warehouse, for consumption, on or after July 1, 2024, which is the date of publication of the *Vietnam Preliminary Determination*.[5]

Countervailing duties will not be assessed on entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final affirmative injury determination, as further described in the ''Provisional Measures'' section of this notice. With respect to the ITC's negative critical circumstances determination on imports of paper plates from Vietnam, Commerce will instruct CBP to lift suspension and to refund any cash deposits made to secure the payment of estimated countervailing duties with respect to entries of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after April 2, 2024 (*i.e.,* 90 days prior to the date of the publication of the *Vietnam Preliminary Determination*), but before July 1, 2024 (*i.e.,* the date of publication of *Vietnam Preliminary Determination*).[6]

Continuation of Suspension of Liquidation and Cash Deposits

In accordance with section 706 of the Act, Commerce intends to instruct CBP to reinstitute the suspension of liquidation of paper plates from China and Vietnam, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, pursuant to section 706(a)(1) of the Act, countervailing duties on each entry of subject merchandise in an amount based on the net countervailable subsidy rates below. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends, pursuant to section 706(a)(1) of the Act, to instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated customs duties on the subject merchandise, a cash deposit for each entry of subject merchandise equal to the subsidy rates listed below.[7] The all-others rates apply to all producers or exporters not specifically listed below, as appropriate.

Scope of the Orders

The products covered by these orders are paper plates from China and Vietnam. For a complete description of the scope of these orders, *see* the appendix to this notice.

Estimated Countervailing Duty Subsidy Rates

The estimated CVD subsidy rates are as follows:

China:

Company	Subsidy rate (percent *ad valorem*)
Fuzhou Hengli Paper Co., Ltd	11.38
Jinhua P&P Product Co., Ltd	4.47
Ningbo Artcool Co., Ltd	* 295.08
Ningbo Fenghua Yongfa Printing Stationery Co., Ltd	* 295.08
Zhejiang Kingsun Eco-Pack Co., Ltd	* 295.08
Zhejiang Lingrong Crafts Co., Ltd	* 295.08
All Others	10.61

* Rate based on facts available with adverse inferences.

Vietnam:

Company	Subsidy rate (percent *ad valorem*)
Go-Pak Paper Products Vietnam Co., Ltd	5.53
Innovative Sonic Vietnam International	* 225.90
Ningbo Changya Plastic Vietnam Company	* 225.90
Ningbo Changya Plastic Vietnam	* 225.90
SCG Vietnam	* 225.90
Xie Li	* 225.90

[3] *See* section 705(c)(4) of the Act; see also SAA at 876 (''If both agencies make affirmative critical circumstances determinations in their final investigations, retroactive duties will be applied for a period ninety days prior to suspension of liquidation.'').

[4] *See Certain Paper Plates from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Alignment of Final Determination With Final Antidumping Duty Determination,* 89 FR 54432 (July 1, 2024) (*China Preliminary Determination*); and *Certain Paper Plates From the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Alignment of Final Determination With Antidumping Duty Determination,* 89 FR 54429 (July 1, 2024) (*Vietnam Preliminary Determination*) (collectively, *Preliminary Determinations*).

[5] *Id.*

[6] *Id.*

[7] *See* section 706(a)(3) of the Act.

Company	Subsidy rate (percent *ad valorem*)
All Others	5.53

* Rate based on facts available with adverse inferences.

Provisional Measures

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. In the underlying investigations, Commerce published the *Preliminary Determinations* on July 1, 2024.[8] Therefore, entries of paper plates from China and Vietnam made on or after October 29, 2024, and prior to the date of publication of the ITC's final determinations in the **Federal Register**, are not subject to the assessment of countervailing duties due to Commerce's discontinuation of the suspension of liquidation.

In accordance with section 703(d) of the Act, Commerce instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of paper plates from China and Vietnam entered, or withdrawn from warehouse, for consumption on or after October 29, 2024, the date on which the provisional CVD measures expired, through the day preceding the date of publication of the ITC final injury determinations in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC final injury determinations in the **Federal Register**.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled ''*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*'' in the **Federal Register**.[9] On September 27, 2021, Commerce also published the notice titled ''*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*'' in the **Federal Register**.[10] The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.[11]

In accordance with the *Procedural Guidance,* for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at *https://access.trade.gov,* within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called ''AISL-Annual Inquiry Service List.'' [12]

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance,* the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at *https://access.trade.gov.*

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule,* Commerce stated that, ''after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.'' [13] Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entry of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the CVD orders with respect to paper plates from China and Vietnam pursuant to section 736(a) of the Act. Interested parties can find a list of CVD orders currently in effect at *https://www.trade.gov/data-visualization/adcvd-proceedings.*

These CVD orders are published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: March 14, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The merchandise subject to these orders is certain paper plates. Paper plates subject to these orders may be cut from rolls, sheets, or

[8] *See Preliminary Determinations.*

[9] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300 (September 20, 2021) (*Final Rule*).

[10] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

[11] *Id.*

[12] This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as ''AISL-January Anniversary.'' Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

[13] *See Final Rule,* 86 FR at 52335.

other pieces of paper and/or paper board. Paper plates subject to these orders have a depth up to and including two (2.0) inches, as measured vertically from the base to the top of the lip, or the edge if the plate has no lip. Paper plates subject to these orders may be uncolored, white, colored, or printed. Printed paper plates subject to these orders may have any type of surface finish, and may be printed by any means with images, text and/or colors on one or both surfaces. Colored paper plates subject to these orders may be colored by any method, including but not limited to printing, beater-dyeing, and dip-dyeing. Paper plates covered by these orders may be produced from paper of any type (including, but not limited to, bamboo, straws, bagasse, hemp, kenaf, jute, sisal, abaca, cotton inters and reeds, or from non-plant sources, such as synthetic resin (petroleum)-based resins), may have any caliper or basis weight, may have any shape or size, may have one or more than one section, may be embossed, may have foil or other substances adhered to their surface, and/or may be uncoated or coated with any type of coating.

The paper plates covered by these orders remain covered by the scope of these orders whether imported alone, or in any combination of subject and non-subject merchandise. When paper plates covered by these orders are imported in combination with non-subject merchandise, only the paper plates covered by these orders are subject merchandise.

The paper plates covered by these orders include paper plates matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the orders if performed in the country of manufacture of the paper plates. Examples of finishing, packaging, or other processing in a third country that would not otherwise remove the merchandise from the scope of the orders if performed in the country of manufacture of the paper plates include, but are not limited to, printing, application of other surface treatments such as coatings, repackaging, embossing, and application of foil surface treatments.

Excluded from the scope of these orders are paper plates molded or pressed directly from paper pulp (including but not limited to unfelted pulp), which are currently classifiable under subheading 4823.70.0020 of the Harmonized Tariff Schedule of the United States (HTSUS).

Also excluded from the scope of these orders are articles that otherwise would be covered but which exhibit the following two physical characteristics: (a) depth (measured vertically from the base to the top of the lip, or edge if no lip) equal to or greater than 1.25 inches but less than two (2.0) inches, and (b) a base not exceeding five (5.0) inches in diameter if round, or not exceeding 20 square inches in area if any other shape.

Also excluded from the scope of these orders are paper bowls, paper buckets, and paper food containers with closeable lids.

Paper plates covered by these orders are currently classifiable under HTSUS subheading 4823.69.0040. Paper plates covered by these orders also may be classified under HTSUS subheading 4823.61.0040. If packaged with other articles, the paper plates covered by these orders also may be classified under HTSUS subheadings 9505.90.4000 and 9505.90.6000. While the HTSUS subheading(s) are provided for convenience and customs purposes, the written description of the subject merchandise is dispositive.

[FR Doc. 2025–04765 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–560–836]

Mattresses From Indonesia: Notice of Court Decision Not In Harmony With the Final Determination of Antidumping Duty Investigation; Notice of Amended Final Determination; Notice of Revocation of Antidumping Order; Correction

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

ACTION: Notice; correction.

SUMMARY: The U.S. Department of Commerce (Commerce) published a notice in the **Federal Register** in March, 2025 in which Commerce announced that a recent U.S. Court of International Trade (CIT) decision was not in harmony with the final determination of Commerce's antidumping duty investigation on mattresses from Indonesia; and as a result of this decision, Commerce is revoking the antidumping duty order. This notice failed to include language about providing a refund to the companies affected by this order.

FOR FURTHER INFORMATION CONTACT: Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1766.

SUPPLEMENTARY INFORMATION:

Background

On March 5, 2025, Commerce published in the **Federal Register**, *Mattresses from Indonesia: Notice of Court Decision Not in Harmony with the Final Determination of Antidumping Duty Investigation; Notice of Amended Final Determination; Notice of Revocation of Antidumping Order.*[1] This notice failed to include language about providing a refund to the companies affected by this order.

Correction

In the **Federal Register** of March 5, 2025, in FR Doc 2025–03529, on page 11257, in the first column, replace the section titled ''Revocation of the Order'' section in its entirety with revised language, in its entirety, attached to this notice in the appendix.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: March 14, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Revocation of the Order

Pursuant to the CIT's holding in *PT. Zinus et al.* v. *United States,* Slip Op. 25–15, Consol. Ct. No. 21–277, (February 18, 2025) *(PT. Zinus III)* sustaining Commerce's second remand redetermination pertaining to the AD investigation of mattresses from Indonesia covering the period of investigation January 1, 2019, through December 31, 2019, Commerce is revoking the AD order on mattresses from Indonesia pursuant to 19 CFR 351.222(b)(2). Pursuant to section 735(c)(2) of the Act, ''the investigation shall be terminated upon publication of that negative determination'' and Commerce shall ''terminate the suspension of liquidation'' and ''release any bond or other security, and refund any cash deposit.'' As a result of the CIT's decision, Commerce is hereby revoking the *Order* and releasing any bonds or other security and refunding cash deposits.

While section 735(c)(2)(A) of the Act instructs Commerce to terminate suspension of liquidation, here, because suspension of liquidation must continue during the pendency of the appeals process (in accordance with *Timken* and as discussed above), we will instruct CBP at this time to (A) continue suspension at a cash deposit rate of 0.0 percent until instructed otherwise; and (B) release any bond or other security, and refund any cash deposit made pursuant to the order on Indonesian mattresses published in *Mattresses from Cambodia, Indonesia, Malaysia, Serbia, Thailand, the Republic of Turkey, and the Socialist Republic of Vietnam: Antidumping Duty Orders and Amended Final Affirmative Antidumping Determination for Cambodia,* 92 FR 26460 (May 14, 2021). In the event the CIT's ruling in *PT. Zinus III* is not appealed, or if appealed and upheld by the U.S. Court of Appeals for the Federal Circuit, Commerce

[1] *See Mattresses from Indonesia: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Duty Investigation; Notice of Amended Final Determination; and Notice of Revocation of Antidumping Order,* 90 FR 11256 (March 5, 2025).

will instruct CBP to terminate the suspension of liquidation and to liquidate those entries of subject merchandise without regard to antidumping duties. Notwithstanding the continued suspension described above, the AD order on mattresses from Indonesia is hereby revoked. As a result of this revocation, Commerce is discontinuing all unfinished administrative reviews immediately and will not initiate any new administrative reviews of the *Order.*

[FR Doc. 2025–04763 Filed 3–19–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–164, A–549–849, A–552–839]

Certain Paper Plates From the People's Republic of China, Thailand, and the Socialist Republic of Vietnam: Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) orders on certain paper plates (paper plates) from the People's Republic of China (China), Thailand, and the Socialist Republic of Vietnam (Vietnam).

DATES: Applicable March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Toni Page (China); Ted Pearson (Thailand); and Bryan Hansen (Vietnam), AD/CVD Operations, Offices I and VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1398, (202) 482–2631, and (202) 482–3683, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 28, 2025, Commerce published in the **Federal Register** its affirmative final determinations in the less-than-fair-value (LTFV) investigations of paper plates from China, Thailand, and Vietnam.[1] On March 13, 2025, the ITC notified Commerce of its final determinations, pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured, within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of imports of paper plates from China, Thailand, and Vietnam sold at LTFV.[2] In addition, the ITC found that critical circumstances exist with regard to imports of paper plates from China.[3]

Scope of the Orders

The products covered by these orders are paper plates from China, Thailand, and Vietnam. For a complete description of the scope of these orders, *see* the appendix to this notice.

Antidumping Duty Orders

Based on the above-referenced affirmative final determinations by the ITC that an industry in the United States is materially injured by reason of imports of paper plates from China, Thailand, and Vietnam sold at LTFV, and, in accordance with sections 735(c)(2) and 736 of the Act, Commerce is issuing these AD orders. Because the ITC determined that imports of paper plates from China, Thailand, and Vietnam are materially injuring a U.S. industry, unliquidated entries of such merchandise entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Critical Circumstances—China

In addition, the ITC found that critical circumstances exist with respect to imports from China subject to Commerce's affirmative critical circumstances finding within the meaning of section 735(b)(4)(A) of the Act. As a result of Commerce's affirmative critical circumstances determination, under section 735(a)(3) of the Act, and the ITC's affirmative critical circumstances determination, under section 735(b)(4)(A) of the Act, retroactive duties will be applied to the relevant imports for a period of 90 days prior to the suspension of liquidation (*i.e.,* 90 days prior to the date of publication of the affirmative *China Preliminary Determination*).[4] The ITC found that critical circumstances did not exist with respect to Thailand and Vietnam.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties on unliquidated entries of paper plates from China. With the exception of entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final affirmative injury determinations, as further described below, antidumping duties will be assessed on unliquidated entries of paper plates from China entered, or withdrawn from warehouse, for consumption on or after June 7, 2024 (*i.e.,* 90 days prior to the date of the publication of the *China Preliminary Determination*), but before September 5, 2024 (*i.e.,* the date of publication of the *China Preliminary Determination*).[5]

Critical Circumstances—Thailand and Vietnam

With respect to the ITC's negative critical circumstances determination on imports of paper plates from Thailand and Vietnam, Commerce will instruct CBP to lift suspension of liquidation and to refund any cash deposits for estimated antidumping duties with respect to entries of the subject merchandise from Thailand and Vietnam entered, or withdrawn from warehouse, for consumption on or after June 7, 2024 (*i.e.,* 90 days prior to the date of the publication of the *Thailand Preliminary Determination*[6] and the *Vietnam Preliminary Determination*),[7] but before September 5, 2024 (*i.e.,* the date of publications of the *Thailand*

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[1] *See Certain Paper Plates From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part,* 90 FR 8271 (January 28, 2025) (*China Final Determination*); *Certain Paper Plates from Thailand: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part,* 90 FR 8262 (January 28, 2025); and *Certain Paper Plates From the Socialist Republic of Vietnam: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part,* 90 FR 8265 (January 28, 2025) (*Vietnam Final Determination*).

[2] *See* ITC's Letter, ''Investigation Nos. 731–TA–1629–1631, 1633, 1636–1638, and 1640 (Final),'' dated March 13, 2025.

[3] *Id.*

[4] *See Certain Paper Plates from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, Postponement of Final Determination, and Extension of Provisional Measures,* 89 FR 72367 (September 5, 2024) (*China Preliminary Determination*); *see also* section 735(c)(4) of the Act; *see also* SAA at 876 (''If both agencies make affirmative critical circumstances determinations in their final investigations, retroactive duties will be applied for a period ninety days prior to suspension of liquidation.'').

[5] *See China Preliminary Determination.*

[6] *See Certain Paper Plates from Thailand: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Postponement of Final Determination and Extension of Provisional Measures,* 89 FR 72370 (September 5, 2024) (*Thailand Preliminary Determination*).

[7] *See Certain Paper Plates from the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, Postponement of Final Determination, and Extension of Provisional Measures,* 89 FR 72375 (September 5, 2024) (*Vietnam Preliminary Determination*).

Preliminary Determination and the *Vietnam Preliminary Determination*).[8]

Continuation of Suspension of Liquidation and Cash Deposits

Except as noted in the ''Provisional Measures'' section of this notice, in accordance with section 736 of the Act, Commerce will instruct CBP to continue to suspend liquidation on all relevant entries of paper plates from China, Thailand, and Vietnam. These instructions suspending liquidation will remain in effect until further notice.

Commerce will also instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the tables below. Accordingly, effective on the date of publication in the **Federal Register** of the notice of the ITC's final affirmative injury determinations, CBP will require, at the same time as importers would normally deposit estimated duties on subject merchandise, a cash deposit equal to the rates listed below. The all-others rate applies to all producers or exporters not specifically listed, as appropriate.

Provisional Measures

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. The exporters of paper plates from China, Thailand, and Vietnam all requested Commerce to extend the four-month period to six months in these investigations.[9]

For Thailand, and certain companies in China and Vietnam, the provisional measures period, beginning on the date of publication of the *Preliminary Determinations,* ended on March 3, 2025. Therefore, in accordance with section 733(d) of the Act and our practice,[10] Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of paper plates from China, Thailand, and Vietnam entered, or withdrawn from warehouse, for consumption after March 3, 2025, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determinations in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determinations in the **Federal Register**.

For Chinese exporter Fuzhou Hengli Paper Co., Ltd., the provisional measures period began on the date of publication of the *China Final Determination.* Therefore, for certain entries of subject merchandise exported by Fuzhou Hengli Paper Co., Ltd., in accordance with 735(c)(4)(C) of the Act, Commerce will continue suspension of liquidation of any unliquidated entries of paper plates from China entered, or withdrawn from warehouse, for consumption on or after October 30, 2024, which is 90 days prior to publication of the *China Final Determination.*

For Vietnamese exporter Go-Pak Paper Products Vietnam Co., Ltd., the provisional measures period began on the date of publication of the *Vietnam Final Determination.* Therefore, for certain entries of subject merchandise exported by Go-Pak Paper Products Vietnam Co., Ltd., in accordance with 735(c)(4)(C) of the Act, Commerce will continue suspension of liquidation of any unliquidated entries of paper plates from Vietnam entered, or withdrawn from warehouse, for consumption on or after January 28, 2025, which is the date of publication of the *Vietnam Final Determination.*

Estimated Dumping Margins

The estimated dumping margins are as follows:

China:

Producer	Exporter	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent)
Guangdong Ecosource Environmental Technology Co., Ltd.	Fuzhou Hengli Paper Co., Ltd	* 515.40	504.86
Ningbo Hongtai Package New Material Technology Co., Ltd.	Fuzhou Hengli Paper Co., Ltd	* 515.40	504.86
Jinhua P&P Products Co., Ltd	Jinhua P&P Products Co., Ltd	267.63	267.63
Festa Party Products Mfy. (Zhongshan) Co., Ltd	Festa (Guangzhou) Co., Ltd	267.63	267.63
Top Printing Paper Products (Zhongshan) Co., Ltd.	Festa (Guangzhou) Co., Ltd	267.63	267.63
Festa Party Products Mfy. (Zhongshan) Co., Ltd	Festa Limited	267.63	267.63
Top Printing Paper Products (Zhongshan) Co., Ltd.	Festa Limited	267.63	267.63
Jieyang Weikangda Paper Co., Ltd	Fujian Putian Zhonghao Trade Co., Ltd	267.63	267.63
Dongyang Founder Paper Product Co., Ltd	Fujian Putian Zhonghao Trade Co., Ltd	267.63	267.63
Fuzhou Nicrolandee Arts & Craft Co., Ltd	Fuzhou Nicrolandee Arts & Craft Co., Ltd	267.63	267.63
Zhejiang Lanweier Paper Products Co., Ltd	Hangzhou Enli Paper Products Co. Ltd	267.63	267.63
Landward Color Printing Co., Ltd	Landward Color Printing Co., Ltd	267.63	267.63
Ningbo Hongtai Package New Material Technology Co., Ltd.	Ningbo Feisuo Import & Export Co., Ltd	267.63	267.63
Ningbo Homelink Eco-Itech Co., Ltd	Ningbo Homelink Eco-Itech Co., Ltd	267.63	267.63
Ningbo Hongtai Package New Material Technology Co., Ltd.	Ningbo Hongtai Package New Material Technology Co., Ltd.	267.63	267.63
Ningbo Kosda New Material Technology Co., Ltd	Ningbo Kosda New Material Technology Co., Ltd	267.63	267.63
Ningbo Goldland Industry and Technology Co., Ltd.	Ningbo Qtop Import & Export Co., Ltd	267.63	267.63
Zhejiang Lingrong Crafts Co., Ltd	Ningbo Qtop Import & Export Co., Ltd	267.63	267.63

[8] *See Thailand Preliminary Determination; see also Vietnam Preliminary Determination.*

[9] *See China Preliminary Determination, Thailand Preliminary Determination,* and *Vietnam Preliminary Determination* (collectively, *Preliminary Determinations*).

[10] *See, e.g., Certain Corrosion-Resistant Steel Products from India, India, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390, 48392 (July 25, 2016).

Producer	Exporter	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent)
Qingdao Robana Paper Product Co., Ltd	Qingdao Gold Top Trade Co. Ltd	267.63	267.63
Qingdao Wonderful Industry and Trade Co. Ltd	Qingdao Wonderful Industry and Trade Co. Ltd	267.63	267.63
Shandong Boao Package Co., Ltd	Shandong Boao Package Co., Ltd	267.63	267.63
Festa Party Products Mfy. (Zhongshan) Co., Ltd	Xanadu Industrial Limited	267.63	267.63
Top Printing Paper Products (Zhongshan) Co., Ltd.	Xanadu Industrial Limited	267.63	267.63
Hangzhou Enli Paper Products Co., Ltd	Yeko Trading Limited	267.63	267.63
China-Wide Entity		* 515.40	515.40

* Rate based on facts available with adverse inferences.

Thailand AD:

Exporter/producer	Weighted-average dumping margin (percent)
Thai Paper Co., Ltd	5.57
Nirvana Foods & Commerce International Co., Ltd	5.57
Pandora Production Co	5.57
SNC Cup Co., Ltd	5.57
ABC Digital Technology Co Ltd	* 73.17
Beeconcious Co	* 73.17
Dester Co, Ltd	* 73.17
Pimlapas Printing Co., Ltd	* 73.17
Sincerely Cargo	* 73.17
Thai Coconut Co Ltd	* 73.17
Thai Union Manufacturing Co., Ltd	* 73.17
All Others	5.57

* Rate based on facts available with adverse inferences.

Vietnam AD:

Exporter	Producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for export subsidy offset) (percent)
Go-Pak Paper Products Vietnam Co., Ltd	Go-Pak Paper Products Vietnam Co., Ltd	30.42	24.89
Vietnam-Wide Entity		* 165.27	159.74

* Rate based on facts available with adverse inferences.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled ''*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*'' in the **Federal Register**.[11] On September 27, 2021, Commerce also published the notice titled ''*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*'' in the **Federal Register**.[12] The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.[13]

In accordance with the *Procedural Guidance,* for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at *https://access.trade.gov,* within five business days of publication of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called ''AISL-Annual Inquiry Service List.'' [14]

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry

[11] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300 (September 20, 2021) (*Final Rule*).

[12] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

[13] *Id.*

[14] This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as ''AISL-January Anniversary.'' Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance,* the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at *https://access.trade.gov.*

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule,* Commerce stated that, ''after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.'' [15] Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entry of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the AD orders with respect to paper plates from China, Thailand, and Vietnam pursuant to section 736(a) of the Act. Interested parties can find a list of AD orders currently in effect at *https://www.trade.gov/data-visualization/adcvd-proceedings.*

[15] *See Final Rule,* 86 FR at 52335.

These AD orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: March 14, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The merchandise subject to these orders is certain paper plates. Paper plates subject to these orders may be cut from rolls, sheets, or other pieces of paper and/or paper board. Paper plates subject to these orders have a depth up to and including two (2.0) inches, as measured vertically from the base to the top of the lip, or the edge if the plate has no lip. Paper plates subject to these orders may be uncolored, white, colored, or printed. Printed paper plates subject to these orders may have any type of surface finish, and may be printed by any means with images, text and/or colors on one or both surfaces. Colored paper plates subject to these orders may be colored by any method, including but not limited to printing, beater-dyeing, and dip-dyeing. Paper plates covered by these orders may be produced from paper of any type (including, but not limited to, bamboo, straws, bagasse, hemp, kenaf, jute, sisal, abaca, cotton inters and reeds, or from non-plant sources, such as synthetic resin (petroleum)-based resins), may have any caliper or basis weight, may have any shape or size, may have one or more than one section, may be embossed, may have foil or other substances adhered to their surface, and/or may be uncoated or coated with any type of coating.

The paper plates covered by these orders remain covered by the scope of these orders whether imported alone, or in any combination of subject and non-subject merchandise. When paper plates covered by these orders are imported in combination with non-subject merchandise, only the paper plates covered by these orders are subject merchandise.

The paper plates covered by these orders include paper plates matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the paper plates. Examples of finishing, packaging, or other processing in a third country that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the paper plates include, but are not limited to, printing, application of other surface treatments such as coatings, repackaging, embossing, and application of foil surface treatments.

Excluded from the scope of these orders are paper plates molded or pressed directly from paper pulp (including but not limited to unfelted pulp), which are currently classifiable under subheading 4823.70.0020 of the Harmonized Tariff Schedule of the United States (HTSUS).

Also excluded from the scope of these orders are articles that otherwise would be covered but which exhibit the following two physical characteristics: (a) depth (measured vertically from the base to the top of the lip, or edge if no lip) equal to or greater than 1.25 inches but less than two (2.0) inches, and (b) a base not exceeding five (5.0) inches in diameter if round, or not exceeding 20 square inches in area if any other shape.

Also excluded from the scope of these orders are paper bowls, paper buckets, and paper food containers with closeable lids.

Paper plates covered by these orders are currently classifiable under HTSUS subheading 4823.69.0040. Paper plates covered by these orders also may be classified under HTSUS subheading 4823.61.0040. If packaged with other articles, the paper plates covered by these orders also may be classified under HTSUS subheadings 9505.90.4000 and 9505.90.6000. While the HTSUS subheading(s) are provided for convenience and customs purposes, the written description of the subject merchandise is dispositive.

[FR Doc. 2025–04764 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–971]

Multilayered Wood Flooring From the People's Republic of China: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of multilayered wood flooring (wood flooring) from the People's Republic of China (China). The period of review (POR) is January 1, 2022, through December 31, 2022. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Jonathan Schueler or Laurel Smalley, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–9175 or (202) 482–1955, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 8, 2011, Commerce issued a countervailing duty order on wood flooring from China.[1] The American Manufacturers of Multilayered Wood Flooring (the petitioner) and other interested parties requested that Commerce conduct an administrative review of the *Order.* On February 8, 2024, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the *Order.*[2] We initiated an administrative review with respect to 14 producers/exporters of wood flooring from China for the POR.

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] On August 2, 2024, Commerce postponed the preliminary results of this review until December 13, 2024, in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).[4] Additionally, on December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by 90 days.[5] The deadline for issuing these preliminary results is now March 13, 2025.

For events that occurred since the *Initiation Notice, see* the Preliminary Decision Memorandum.[6] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.* A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I to this notice.

Scope of the Order

The product covered by the *Order* is wood flooring from China. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Final Rescission of Review, In Part

On April 9, 2024, Commerce notified interested parties that we intended to rescind this administrative review with respect to the nine companies listed in Appendix II, in the absence of suspended entries during the POR.[7] No party commented on our Intent to Rescind Memorandum. Therefore, we find that there are no reviewable entries of subject merchandise by the companies listed in Appendix II based on our review of the CBP data on the record. As a result, we are rescinding this review, in part, with respect to the nine companies listed in Appendix II, pursuant to 19 CFR 351.213(d)(3) and (4).

In addition, the following parties submitted no-shipment certifications: Benxi Flooring Factory (General Partnership); Dongtai Fuan Universal Dynamics, LLC; HaiLin LinJing Wooden Products Co., Ltd.; Jiashan On-Line Lumber Co., Ltd.; Pinge Timber Manufacturing (Zhejiang) Co., Ltd. (Pinge Timber); Suzhou Dongda Wood Co., Ltd.; Zhejiang Shiyou Timber Co., Ltd. All of these companies were included in the Intent to Rescind Memorandum, with the exception of Pinge Timber.[8] We did not initiate a review with respect to Pinge Timber, thus it is not subject to this review. Therefore, as explained above, we are rescinding the review with regard to all these companies, with the exception of Pinge Timber because it is not under review.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we preliminarily determine that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that confers a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying our preliminary conclusions, including our reliance, in part, on adverse facts available pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.

Rate for Non-Selected Companies Under Review

As discussed above, Commerce initiated this administrative review with respect to 14 producers/exporters. We are rescinding the review for nine companies listed in Appendix II that had no suspended entries during the POR. As discussed above, this group includes six companies that certified no shipments during the POR. In addition, Commerce selected three mandatory respondents, Riverside Plywood Corp. (Riverside Plywood), Tongxiang Jisheng Import and Export Co., Ltd., (Tongxiang Jisheng) and Huzhou Fulinmen Imp. & Exp. Co., Ltd. (Huzhou Fulinmen) for individual examination.[10] For the remaining two companies subject to this review, but not selected for individual examination (*i.e.,* Benxi Wood Company and Dalian Jaenmaken Wood Industry Co., Ltd.), because only the rate calculated for mandatory respondent Riverside Plywood is above *de minimis* and not based entirely on facts available, we assigned the subsidy rate calculated for Riverside Plywood to Benxi Wood Company and Dalian Jaenmaken Wood Industry Co., Ltd. For further information on the calculation of the non-selected respondent rate, *see* Preliminary Decision Memorandum at section entitled ''Non-Selected Companies Under Review.''

Rate for Non-Responsive Companies

As noted above, Huzhou Fulinmen, and Tongxiang Jisheng were selected as mandatory respondents in this review, however, neither company responded to Commerce's initial CVD questionnaires. We find that by not responding to Commerce's requests for information, these companies withheld requested information and significantly impeded this proceeding. Thus, in reaching our preliminary results, pursuant to sections 776(a)(2)(A) and (C) of the Act, we are basing the CVD subsidy rates for these non-responsive companies on facts otherwise available.

Further, we preliminarily determine that an adverse inference is warranted, pursuant to section 776(b) of the Act. By failing to submit responses to Commerce's initial CVD questionnaire,

[1] *See Multilayered Wood Flooring from the People's Republic of China: Countervailing Duty Order,* 76 FR 76693 (December 8, 2011); and *Multilayered Wood Flooring from the People's Republic of China: Amended Antidumping and Countervailing Duty Orders,* 77 FR 5484 (February 3, 2012), wherein the scope of the order was modified (collectively, *Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 8641 (February 8, 2024) (*Initiation Notice*).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated August 2, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Decision Memorandum for the Preliminary Results in the Countervailing Duty Administrative Review of Multilayered Wood Flooring from the People's Republic of China; 2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated April 9, 2024 (Intent to Rescind Memorandum).

[8] *See* Intent to Rescind Memorandum.

[9] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[10] *See* Memoranda, ''Respondent Selection,'' dated March 14, 2024, and ''Selection of Additional Mandatory Respondent,'' dated April 16, 2024.

these two non-responsive companies did not cooperate to the best of their ability in this review. Accordingly, we preliminarily find that an adverse inference is warranted to ensure that the non-responsive companies will not obtain a more favorable result than if they had fully complied with Commerce's request for information. For more information on the application of adverse facts available to these two non-responsive companies, *see* ''Use of Facts Otherwise Available and Adverse Inferences'' in the Preliminary Decision Memorandum.

Preliminary Results of the Review

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily find the following net countervailable subsidy rates exist:

Producer/exporter	Subsidy rate (percent *ad valorem*)
Riverside Plywood Corp. and its Cross-Owned Affiliates [11]	11.17
Huzhou Fulinmen Imp. & Exp. Co., Ltd	*430.38
Tongxiang Jisheng Import and Export Co., Ltd	*430.38
Benxi Wood Company	11.17
Dalian Jaenmaken Wood Industry Co., Ltd	11.17

*Rate based entirely on facts available with adverse inferences.

Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after the date of publication of this notice.[12] Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[13] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[14] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[15]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[16] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[17]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS [18] and must be served on interested parties.[19] Electronically filed documents must be received successfully in their entirety by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.

Final Results

Unless the deadline is extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we are preliminarily assigning subsidy rates in the amounts shown above for the producer/exporters subject to review. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review.

For the companies for which this review is rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(l)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the preliminary results of this review in the **Federal Register**.

For the companies for which this review is not rescinded, Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each of the respective companies listed above and in Appendix III on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Interested Parties

These preliminary results are issued and published pursuant to sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

[11] Cross-owned affiliates are: Baroque Timber Industries (Zhongshan) Co., Ltd.; Suzhou Times Flooring Co., Ltd.; and Zhongshan Lianjia Flooring Co., Ltd.

[12] *See* 19 CFR 351.224(b).

[13] *See* 19 CFR 351.309.

[14] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[17] *See APO and Service Final Rule.*

[18] *See* 19 CFR 351.303.

[19] *See* 19 CFR 351.303(f).

Dated: March 13, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Non-Selected Companies Under Review
IV. Scope of the *Order*
V. Diversification of China's Economy
VI. Use of Facts Otherwise Available and Application of Adverse Inferences
VII. Subsidies Valuation
VIII. Interest Rate Benchmarks, Discount Rates, Inputs, Land-Use Benchmarks, and Electricity Benchmarks
IX. Analysis of Programs
X. Recommendation

Appendix II

Companies for Which Commerce Is Rescinding the Review

1. Benxi Flooring Factory (General Partnership)
2. Dongtai Fuan Universal Dynamics, LLC
3. HaiLin LinJing Wooden Products Co., Ltd.
4. Hunchun Xingjia Wooden Flooring Inc.
5. Jiangsu Mingle Flooring Co., Ltd.
6. Jiashan On-Line Lumber Co., Ltd.
7. Suzhou Dongda Wood Co., Ltd.
8. Zhejiang Longsen Lumbering Co., Ltd.
9. Zhejiang Shiyou Timber Co., Ltd.

[FR Doc. 2025–04708 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE791]

New England 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 New England Fishery Management Council (Council) is holding a public meeting of its Scientific and Statistical Committee (SSC) via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, April 9, 2025, beginning at 9 a.m.

ADDRESSES: Webinar Registration information: *https://nefmc-org.zoom.us/meeting/register/17otFWatTzuT8v17NZ_xWQ.*

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The SSC will meet to receive a presentation on the 2025 *State of the Ecosystem Report (SOE)* for New England by the Northeast Fisheries Science Center (NEFSC); make recommendations for improvements to future reports and discuss strategies for making these reports actionable by the SSC and Council. They will potentially receive an update on and discuss other NEFSC products. Recommend a new SSC Chair and Vice-Chair. Other business will be discussed as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: March 17, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04789 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE790]

Pacific Island Fisheries; Western Pacific Stock Assessment Review; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Western Pacific Fishery Management Council (Council) and NMFS will convene a Western Pacific Stock Assessment Review (WPSAR) of a stock assessment update for the multispecies bottomfish complex in the Commonwealth of the Northern Mariana Islands (CNMI). The review will be conducted virtually. A satellite location will be made available for the public to view the review process and Council staff will be available in-person to answer questions. See **ADDRESSES** for the web address to access the meeting and the location of the satellite viewing site.

DATES: The WPSAR meeting will be held between April 2 and April 3, 2025 (April 3 and 4, Chamorro Standard). See **SUPPLEMENTARY INFORMATION** for meeting dates and times and the daily agenda.

ADDRESSES: The meeting will be held by web conference via WebEx. Audio and visual portions for all of the web conferences can be accessed at: *https://www.wpcouncil.org.* Web conference access information and instructions for providing public comments will be posted on the Council website at *www.wpcouncil.org.* For assistance with the web conference connection, contact the Council office at (808) 552–8220.

The satellite viewing site for the WPSAR review is located at the Council office in the CNMI: Kopa Di Oru St., 1182 BRI Bldg., Suite 205, Garapan, Saipan MP 96950.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; telephone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The NMFS Pacific Islands Fisheries Science Center (PIFSC) conducted a stock assessment update for bottomfish management unit species (BMUS) in the U.S. jurisdiction of CNMI. PIFSC previously conducted a 2019 benchmark stock assessment for the CNMI bottomfish stock complex using a Bayesian surplus production model based on data through 2017. The 2019 assessment incorporated improvements

to data standardization and model assumptions that followed recommendations from the review panel for the 2015 assessment for the same stock. PIFSC used production models to estimate biomass and stock status through time, and to evaluate stock status against maximum sustainable yield-based reference points set in the fishery ecosystem plan (FEP) for the Mariana Archipelago, which includes CNMI. Based on the results of the 2019 assessment, NMFS determined the stock not overfished and not experiencing overfishing.

The 2025 assessment update that will be reviewed in April used the methodology of the 2019 benchmark assessment and updated it with data through 2023. The 2025 assessment update will provide new information to inform management, including updates on biomass and fishing mortality relative to status determination thresholds to evaluate rebuilding progress, and projections to inform recommendations of allowable biological catch and annual catch limits.

Meeting Agenda for WPSAR Review

The meeting schedule and agenda are as follows:

Wednesday, April 2, 2025 (1–5 p.m. Hawaii Standard Time)/Thursday, April 3, 2025 (9 a.m.–1 p.m. Chamorro Standard Time)

1. Introduction
2. Review objectives and terms of reference
3. Review of stock assessment updates
4. Summary of comments and analysis during desktop phase
5. Questions to presenters
6. Public comment

Thursday, April 3, 2025 (1–5 p.m. Hawaii Standard Time)/Friday, April 4, 2025 (9 a.m.–1 p.m. Chamorro Standard Time)

7. Panel presentation on the review results and recommendations
8. Questions to reviewers
9. Public comment
10. Closing comments and adjourn

The agenda order may change. The meeting will run as late as necessary to complete scheduled business.

Special Accommodations

These meetings are physically accessible to people with disabilities. Please direct requests for sign language interpretation or other auxiliary aids to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: March 17, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04792 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE728]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice of receipt of applications for two permit renewals, two permit modifications, and five new permits.

SUMMARY: Notice is hereby given that NMFS has received nine scientific research permit application requests relating to Pacific salmon, steelhead, green sturgeon, rockfish, and eulachon. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. The applications may be viewed online at: *https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm.*

DATES: Comments or requests for a public hearing on the applications must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on April 21, 2025.

ADDRESSES: All written comments on the applications should be sent by email to *nmfs.wcr-apps@noaa.gov.* Please include the permit number in the subject line of the email.

FOR FURTHER INFORMATION CONTACT: Rob Clapp, Portland, OR (ph.: 503–231–2314), Fax: 503–230–5441, email: *Robert.Clapp@noaa.gov*). Permit application instructions are available from the address above, or online at *https://apps.nmfs.noaa.gov.*

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened Puget Sound (PS); threatened Snake River (SnkR) fall-run; threatened SnkR spring/summer-run (spr/sum); endangered Upper Columbia River (UCR) spring-run; threatened Upper Willamette River (UWR); threatened Lower Columbia River (LCR); threatened California Coastal (CC); threatened Central Valley spring-run (CVS).

Steelhead (*O. mykiss*): Threatened Middle Columbia River (MCR); threatened PS; threatened SnkR; threatened UCR; threatened UWR; threatened Northern California (NC); threatened LCR; threatened California Central Valley (CCV).

Chum salmon (*O. keta*): Threatened Hood Canal summer-run (HCS); threatened Columbia River (CR).

Coho salmon (*O. kisutch*): threatened Oregon Coast (OC); threatened LCR; southern Oregon/Northern California Coast (SONCC).

Sockeye salmon (*O. nerka*): Endangered SnkR; threatened Ozette Lake (OL).

Eulachon (*Thaleichthys pacificus*): Threatened southern Distinct Population Segment (SDPS).

Green sturgeon (*Acipenser medirostris*): Threatened SDPS.

Rockfish (*Sebastes spp.*): Endangered Puget Sound/Georgia Basin (PS/GB) boccacio (*Sebastes paucispinis*); threatened PS/GB Yelloweye rockfish (*Sebastes ruberrimus*).

Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et. seq*) and regulations governing listed fish and wildlife permits (50 CFR 222–226). NMFS issues permits based on findings that such permits: (1) are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

Applications Received

Permit 1336–10M

Port Blakely Tree Farms (PBTF) is seeking to modify a permit that would authorize them to continue taking juvenile OC and LCR coho salmon; LCR, UWR, and PS Chinook salmon; LCR, PS, and UWR steelhead; and CR chum salmon in order to evaluate factors limiting fish distribution and water quality in streams owned by PBTF. This

activity will occur in the lower Columbia River and Puget Sound basins. PBTF is seeking to modify the permit by adding several locations where Port Blakely has recently acquired timberlands, and thus electrofishing may be required to determine stream typing before any forest management activities. Under the modification, they would also increase requested take for UWR Chinook salmon, UWR steelhead, LCR coho salmon, and OC coho salmon.

Juveniles would be collected via backpack electrofishing, handled for identification, and released. The fish would be released back to their capture sites. The goal of the project is to determine the physical characteristics of uppermost fish habitats and quantify conditions that limit their distribution on lands owned in Washington and Oregon. The work is expected to benefit listed species by producing data to be used in conserving and restoring critical habitat. The researchers are not proposing to kill any of the listed fish being taken, but a small number may be killed as an inadvertent result of these activities.

Permit 18696–6R

Idaho Power is seeking to renew a five-year permit that currently allows them to annually capture juvenile and adult SnkR fall-run Chinook salmon, SnkR spr/sum Chinook salmon, SnkR steelhead, and SnkR sockeye salmon while studying bull trout and juvenile white sturgeon in and near Lower Granite Reservoir on the Snake River. The action would continue to take place from the confluence of the Snake and Grande Ronde Rivers up to the first of the Hells Canyon Complex of dams.

The researchers would use small-mesh gill nets, D-ring plankton nets, benthic otter trawls, and hook-and-line angling to capture the fish. The gill net fishing would take place at times (October and November) and in areas (the bottom of the reservoir) that have purposefully been chosen to have the least possible impact on listed fish. When the nets are pulled to the surface, listed species would immediately be released (including by cutting the net, if necessary) and allowed to return to the reservoir. D-ring fishing would take place in June and July, but the same restrictions (immediately releasing listed fish, etc.) would still apply. The same is true for the otter trawls that would take place solely in July and the angling that would be performed from December–March. The research targets species that are not listed, but it would benefit listed salmonids by generating information about the habitat conditions in the Snake River and by helping managers develop conservation plans for all the species that inhabit the area. The researchers are not proposing to kill any of the fish they capture, but a small number of individuals may be killed as an inadvertent result of the activities.

Permit 20047–3R

The University of Washington is seeking to renew a permit that would authorize them to continue to take annually juvenile PS Chinook salmon, PS steelhead, PS/GB DPS bocaccio, PS/GB DPS yelloweye rockfish, HCS chum salmon, and adult SDPS eulachon in order to study the fish communities associated with tidal flats (with and without seagrass) in Puget Sound and coastal Washington.

Juvenile salmon, steelhead, rockfish, and adult eulachon would be collected via beach seine, handled (weighed, measured, and checked for marks or tags), and released. This study would fill current information gaps on how habitat structure impacts higher trophic levels in nearshore habitats in the Pacific Northwest. It would benefit ESA-listed salmon and steelhead recovery by reducing the uncertainty around current ecosystem linkages that are used to select habitat sites to preserve and restore. The researchers are not proposing to kill any of the listed fish being captured, but a small number of fish may be killed as an inadvertent result of these activities.

Permit 28047–2M

The U.S. Fish & Wildlife Service (USFWS) is seeking to modify a five-year permit that currently allows them allow them to take juvenile LCR, UWR, PS, and CC Chinook salmon; CR and HCS chum salmon; LCR, PS, UWR, and NC steelhead; and LCR, OC, and SONCC coho. The fish are taken during efforts to determine the uppermost ranges of several species of fish in more than 20 subbasins in western Oregon and Washington and northern California. The USFWS is seeking to modify the permit by adding several basins, largely in eastern Oregon, and juveniles from several species: UCR chinook and steelhead, SnkR spr/sum and fall Chinook and steelhead, and MCR steelhead. Under the modification, they would also substantially reduce the amount of take they are permitted in western Oregon and Washington and would take no fish in California.

The researchers would continue to use backpack electrofishing units to capture the fish. Once captured, all listed salmonids would simply be identified and immediately released. In all cases, the researchers would be operating near what is already considered to be the upper limit of salmonid trout distribution, so they are unlikely to encounter many listed fish in any case. Regardless, the researchers are not proposing to kill any of the listed fish being captured, but a small number of fish may be killed as an inadvertent result of these activities. The research would produce a large amount of presence/absence data on listed fish and thus help managers plan and carry out land management actions across a broad portion of three states.

Permit 28265

The Washington Department of Fish and Wildlife (WDFW) is seeking a five-year permit that would authorize them to take juvenile and adult LCR Chinook salmon, PS Chinook salmon, LCR coho salmon, LCR steelhead, PS steelhead, UCR steelhead, MCR steelhead, and UCR spring-run Chinook salmon in order to understand the distribution, abundance, and population trends associated with inland freshwater fishes and shellfishes throughout Washington.

Juvenile and adult fish would be collected via backpack-, boat-, or barge-mounted electrofishing units. All listed fish that are captured would be identified by species, allowed to recover, and immediately released back to the site of their capture. The goals of this study are to: (1) identify and quantify freshwater fish and shellfish distributions in Washington streams and rivers, (2) generate data that will inform multispecies occupancy models to understand the relationships between occupancy, habitat, and landscape metrics, (3) develop a statewide database, and (4) develop standardized monitoring methodologies. This work is expected to benefit listed species by providing standardized survey data that would inform conservation and management decisions throughout the state of Washington. The researchers are not proposing to kill any of the listed fish being captured, but a small number of fish may be killed as an inadvertent result of these activities.

Permit 28375

The USFWS is seeking a five-year permit that would authorize them to take juvenile PS Chinook salmon and juvenile and adult PS steelhead in order to assess relative salmon predation vulnerability based on the presence of artificial light at night (ALAN) and to evaluate the attraction of predatory fishes to ALAN. This work will be conducted in Lake Washington in Washington State.

Juvenile and adult fish would be collected via gill nets and angling, and

captured fish would be handled, measured, and have their stomach contents analyzed gastric lavage. Gill netting will likely result in the mortality of all fish captured, and the researchers are proposing to kill a small number of ESA-listed fish. Any listed fish found alive upon the retrieval of the nets will be removed quickly and released back into Lake Washington. The goal of this study is to understand the effects of ALAN on juvenile salmon behavior and its impacts on depredation success by non-native species in the Lake Washington system. This work is expected to benefit ESA-listed salmon and steelhead recovery by providing information on the impacts predation has on salmon, and that information, in turn, would be used to help future management actions account for and reduce those impacts.

Permit 28588

The University of Idaho is seeking a five-year permit that would allow them to take SnkR spr/sum Chinook and steelhead while conducting a study on Chinook downstream migration timing and its effects on species productivity. The information would be used to bolster life-cycle modeling for the species and monitor population status in a relatively pristine (and remote) watershed—Big Creek, a tributary to the Middle Fork Salmon River in Idaho.

The researchers would use backpack electrofishing units to capture the fish. Once captured, the fish would be anesthetized, tagged with passive integrated transponder (PIT) tags, measured, allowed to recover, and released. The research would generate information on the species' migration strategies and thus help managers better design recovery strategies and land management plans. It would also generate baseline population information to help managers maintain an understanding of the species' status. The researchers are not proposing to kill any of the fish they capture, but a small number of individuals may be killed as an inadvertent result of the activities.

Permit 28615

The Washington State Department of Ecology is seeking a 5-year permit that would authorize them to take juvenile LCR, SnkR Basin, MCR, UCR, and PS steelhead; LCR, SnkR fall-run, SnkR spr/sum, and UCR spring-run Chinook salmon; CR and HCS summer-run chum salmon, LCR coho salmon, and OL sockeye salmon in order to conduct watershed health monitoring that will provide data on the physical, biological, and chemical aspects of Washington's rivers and streams. This work is conducted throughout the state of Washington.

Juvenile Chinook, chum, coho, sockeye, and steelhead would be collected via backpack electrofishing, handled (measured), and released. The goal of this work is to establish a sampling framework that provides a basis for the quantitative evaluation of the health of Washington's rivers and streams and can provide information on the status, trends, and limiting factors for Washington's fisheries. This work is expected to benefit ESA-listed salmon and steelhead by providing insights into species distribution and habitat quality across the state. The researchers are not proposing to kill any of the listed fish being taken, but a small number may be killed as an inadvertent result of these activities.

Permit 28772

The Pacific States Marine Fisheries Commission is seeking a 5-year permit that would authorize them to take juvenile and adult SDPS green sturgeon, juvenile CVS Chinook salmon, and CCV steelhead in order to assess spawning frequency and spatial and temporal distribution among green sturgeon, and to evaluate the extent to which Oroville Facilities operations influence sturgeon spawning and rearing through effects on flow, temperature, and habitat. This work will be conducted in the Feather River Basin, California.

Juvenile and adult green sturgeon would be collected and observed via ARIS and DIDSON sonar cameras, video, side-scanning sonar, telemetry, hook and line sampling, artificial substrates, D-ring plankton nets, and otter trawls. A small number of green sturgeon eggs and larvae would be intentionally sacrificed for genotyping. This study would not target salmon or steelhead, so any CVS Chinook salmon, or CCV steelhead captured would be immediately released. Juvenile and adult green sturgeon would be captured, handled (anesthetized, weighed, measured, and checked for marks or tags), and released. A subsample of captured green sturgeon would also be tissue sampled and tagged (PIT, acoustic) prior to release. With the exception of the small number of eggs and larvae that would be intentionally killed, the researchers are not proposing to kill any of the juvenile or adult fish being captured, but a small number of fish may be killed as an inadvertent result of these activities.

The goals of this study are to: (1) evaluate migration patterns including residence times and factors affecting them, (2) identify spatial and temporal distribution of all life stages, (3) estimate annual adult green sturgeon abundance, (4) investigate whether sturgeon spawn annually in the Feather River, and (5) identify habitat preferences for all life stages. This work is expected to benefit green sturgeon by providing information to inform management decisions concerning future monitoring programs, operational changes at the Oroville facilities, and habitat enhancement in the lower Feather River.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the applications, associated documents, and comments submitted to determine whether the applications meet the requirements of section 10(a) of the ESA and Federal regulations. The final permit decisions will not be made until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: March 17, 2025.

Lisa Manning,

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–04799 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE786]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of the Socio-Economic Panel (SEP) on April 14 and 15, 2025. The Scientific and Statistical Committee (SSC) will meet on April 15–17, 2025.

DATES: The SEP meeting will be held from 1:30 p.m. until 5 p.m. EDT on April 14, 2025 and from 8:30 a.m. until 12 p.m. on April 15, 2025. The SSC meeting will be held from 1:30 p.m. until 5 p.m., EDT on April 15, 2025, from 8:30 a.m. until 5 p.m. on April 16, 2025, and from 8:30 a.m. until 12 p.m. on April 17, 2025.

ADDRESSES:

Meeting address: The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC 29407; phone: (843) 571–1000. The

meetings will also be available via webinar. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available two weeks prior to the meetings at: *https://safmc.net/scientific-and-statistical-committee-meeting/.*

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571–4366 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *kim.iverson@safmc.net.*

SUPPLEMENTARY INFORMATION:

SSC Socio-Economic Panel

The SEP meeting agenda includes updates on active Council amendments, the Citizen Science Program, Council climate-readiness projects, and discussions relative to social and economic research at the September 2024 National SSC meeting. The SEP will review recent research efforts to collect baseline levels of knowledge about, confidence in, and trust in the citizen science process of collecting data to inform fisheries management, research related to the ongoing Snapper Grouper Management Strategy Evaluation, and the Council's Research and Monitoring Plan. The SEP will also have a discussion on how to better utilize qualitative information that is gathered during Council outreach activities to inform management in a resource-limited space. The SEP will provide recommendations for SSC and Council consideration, and conduct other business as needed.

Scientific and Statistical Committee

The SSC meeting agenda includes the review of SEDAR (Southeast Data, Assessment, and Review) 92: Atlantic Blueline Tilefish Southern Region, and SEDAR 76 Update: Black Sea Bass Operational Assessment. The SSC will review the Council's Research and Monitoring Plan, terms of reference for the 2026 gag grouper stock assessment, scopes of work for the 2027 red grouper and snowy grouper stock assessments, and results of the Joint SSC review of the mutton and yellowtail snapper stock assessments. The SSC will receive updates on the Southeast Reef Fish Sur vey 2024 trends report, Size Matters: Innovative Length Estimates (SMILE) Project, Dolphinfish Management Strategy Evaluation (MSE), and Ecopath with Ecosim with Ecospace Model. The SSC will receive updates to the SEDAR process, fishery management plan amendments, ongoing SSC workgroup progress, and conduct other business as needed.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 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 17, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–04797 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE736]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Massachusetts Division of Marine Fisheries (MA DMF). Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before April 4, 2025.

ADDRESSES: You may submit written comments by the following method:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line ''MA DMF herring genomics EFP''.

All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (*e.g.,* name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''anonymous'' as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Ashley Trudeau, Fishery Resource Management Specialist, *ashley.trudeau@noaa.gov,* 978–281–9252.

SUPPLEMENTARY INFORMATION: The applicant submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 648.201(d)(1)	No harvest in Area 1A during January–May.	To allow harvest in Area 1A during April and May.
§ 648.202(a)(1)	Restriction on midwater trawling from June 1 to September 30 in Area 1A.	To allow use of midwater trawl in Area 1A during June–September.
§ 648.80(a)(3)(vi)	Restrictions on fishing in Gulf of Maine (GOM) and Georges Bank (GB) Exemption Areas.	To allow use of small mesh bottom trawl in GOM and GB Regulated Mesh Areas.
§ 648.81(d)(1)	Seasonal gear restrictions in GOM Cod Protection Closures.	To allow use of small mesh bottom trawl during April–November in GOM Cod Protection Closure Areas, excluding year-round groundfish closed areas.

TABLE 1—REQUESTED EXEMPTIONS—Continued

CFR citation	Regulation	Need for exemption
§ 648.11, but not to include 648.11(m)(2).	Monitoring coverage	Sampling trips will be non-representative of the herring fishery and could negatively affect NEFOP data quality. As stated in 648.11(m)(2), the participating vessels are still required to submit pre-trip notifications.

Project Narrative

The MA DMF is requesting an EFP in support of a study developing a genomic tool to evaluate the genomic population structure of Atlantic herring. The current system of herring management sets area-specific annual catch limits (ACL) based on estimates of spawning component abundance and seasonal mixing rates. These estimates have not been updated since implementation of the Atlantic Herring Fishery Management Plan in 2000. This study is intended to improve scientific understanding of the contributions of genetically distinct sub-populations to herring stocks in U.S. waters and, therefore, may allow fisheries managers to update area-specific ACLs to reflect their spawning components.

Sampling for this study would begin upon approval and end by December 31, 2025. This EFP would authorize 3 fishing vessels to retain a total of 3,000 adult herring (approximately 970 pounds (lb); 440 kilograms (kg)) during the spring and fall spawning seasons from 5 spawning grounds: Eastern Gulf of Maine; Western Gulf of Maine; Jeffreys Ledge; the Great South Channel; and Georges Bank. The vessel sampling the Eastern Gulf of Maine and Western Gulf of Maine areas would primarily use midwater trawl gear with the option of switching to purse seine. The two vessels fishing Jeffreys Ledge, the Great South Channel, and Georges Bank would use small-mesh bottom trawl gear. These vessels are expected to spend approximately 20 days on the water to conduct sampling in 5 areas twice in both the fall and spring seasons. Spring sampling would take place in April and May, and fall sampling would occur from August to November. During each trip, the project team plans to conduct short, 5–60-minute tows to catch and retain 150 adult herring from each area sampled. If more than 150 herring are captured, the crew would continue to retain herring until they have no more space in their insulated cooler. The cooler would hold a maximum of approximately 300 herring, and any further captures would then be discarded.

After sampling, the research team would use low-coverage, whole-genome sequencing to identify a panel of small genetic differences that can reliably differentiate between herring sub-populations. Through peer-reviewed publication on their genomic tool and their findings regarding Atlantic herring genomic population structure, the research team may enable fishery managers to update area-specific ACLs to support the sustainable harvest of each spawning component.

Genomic tools require relatively small sample sizes. The project team proposes to harvest a total of 970 lb (440 kg) of Atlantic herring over no more than 20 sampling trips, which is 15 percent of the 6,600-lb (2,993-kg) possession limit associated with an Open Access Category D Permit. Because the project requires sampling spawning herring, vessels would sample during the areas' fall spawning closures. Although MA DMF plans to conduct tows between 30 and 60 minutes, vessel operators would plan to capture sufficient samples with the least amount of fishing effort possible, including tows as short as 5 minutes. Technologies such as net-mounted echosounders, for example, would be used to identify herring entering the net and, therefore, signal operators to end the tow early. Because of the low amount of fishing effort that this sampling would require, discards of incidentally captured species are expected to be relatively low, around 10,000 lb (4,536 kg) total over 20 trips. Based on observer data from the same areas and gears, the highest volume of bycatch is expected to be of silver hake, with expected discards of around 7,000 lb (3,176 kg).

The applicants state that the exemption allowing vessels to fish in GOM Cod Protection Closure Areas is necessary for sampling herring in the Jeffreys Ledge spawning area. Based on existing observer data and the project team's knowledge of herring spawning locations, they are expecting to cause nearly-zero Atlantic cod bycatch mortality during their sampling. Based on observer data collected from vessels fishing in the same statistical areas using the same gear, the research team expects this sampling to catch a total of 4.4 lb (2.0 kg) cod. In addition, the research team expects to catch herring in deeper water and softer substrate than where cod are abundant and/or spawning. Finally, the research team has previously measured a 93-percent survival rate for cod captured using short tows with bottom trawl gear (Zemeckis *et al.,* 2019). Therefore, although a very small amount of cod catch is possible, the research application suggests that cod would be returned to the water as soon as possible and would be very likely to survive.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: March 17, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–04801 Filed 3–19–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Record of Decision for the Environmental Impact Statement Expansion of Childcare Services North of the Eglin Test and Training Complex, Eglin Air Force Base, Florida

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of availability of Record of Decision.

SUMMARY: On February 26, 2025, the Department of the Air Force (DAF) signed the Record of Decision (ROD) for the Expansion of Childcare Service North of Eglin Test and Training Complex at Eglin AFB, FL Environmental Impact Statement.

ADDRESSES: Mr. Nicolas Post (AFCEC/CIEE), 2261 Hughes Avenue, STE 155, JBSA Lackland, TX 78236–9853 (380) 459–0507; *nicolas.post@us.af.mil.*

SUPPLEMENTARY INFORMATION: The DAF has decided to construct a new Child Development Center (CDC) to support the childcare needs of Eglin military families living north of the Eglin Test and Training Complex, Eglin AFB, FL. The new CDC will be constructed on a 14-acre parcel that the DAF will acquire from the City of Crestview, FL. The CDC will be owned by the DAF and operated by the 96th Force Support Squadron which provides base support functions at Eglin AFB.

The DAF decision documented in the ROD was based on matters discussed in the Final Environmental Impact Statement, inputs from the public and regulatory agencies, and other relevant factors. The Final Environmental Impact Statement was made available to the public on December 27, 2024, through a Notice of Availability in the **Federal Register** (89 FR 105604) with a waiting period that ended on January 27, 2025.

Authority: This Notice of Availability is published pursuant to the implementing the provisions of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and the Air Force's Environmental Impact Analysis Process (32 CFR 989.21(b) and 989.24(b)(7)).

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–04767 Filed 3–19–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF EDUCATION

Special Education Parent Information Centers—Parent Training and Information Centers; Corrections and Reopening

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice; corrections and reopening.

SUMMARY: On December 16, 2024, the Department of Education (Department) published in the **Federal Register** a notice inviting applications (NIA) for fiscal year (FY) 2025 for the Special Education Parent Information Centers—Parent Training and Information Centers (PTIs) competition. The NIA established a deadline date of March 3, 2025, for the transmittal of applications. The Department is correcting the NIA by removing certain application requirements and replacing the selection criteria. This notice also reopens the competition and extends the deadline date for transmittal of applications until March 26, 2025, and extends the deadline for intergovernmental review until May 25, 2025. All other information in the NIA remains the same.

DATES: These corrections are applicable on March 20, 2025.

Deadline for Transmittal of Applications: March 26, 2025.

Deadline for Intergovernmental Review: May 25, 2025.

FOR FURTHER INFORMATION CONTACT: Carmen Sanchez, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 987–0117. Email: *Carmen.Sanchez@ed.gov.*

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION: On December 16, 2024, the Department published an NIA for the FY 2025 PTIs competition in the **Federal Register** (89 FR 101589). The Department is correcting the NIA by removing certain application requirements, replacing the selection criteria section, reopening the competition and extending the deadline for transmittal of applications, and extending the deadline for intergovernmental review for the 2025 PTI competition. The Department is correcting this NIA as part of a comprehensive review of recently published FY 2025 NIAs. This reevaluation seeks to ensure that all priorities and requirements for the Department's FY 2025 competitions align with the objectives established by the Trump Administration while fostering consistency across all grant programs. Additionally, the Department is dedicated to optimizing the impact of our grant competitions on students and families, as well as enhancing the economic effectiveness of federal education funding. All other information in the NIA remains the same.

The Department will not consider applications submitted prior to March 20, 2025. Applicants that have already timely submitted an application under the 2025 PTI competition must resubmit an updated application on or before the reopened application deadline of March 26, 2025, for the application to be reviewed. Program staff will endeavor to notify applicants that have already submitted an application of the requirement to submit an updated application. The Department will consider the application that is last submitted and timely received by 11:59:59 p.m., Eastern Time, on March 26, 2025.

Program Authority: 20 U.S.C. 1471 and 1481.

Corrections

In FR Doc. 2024–29530, published in the **Federal Register** on December 16, 2024 (89 FR 101589), we make the following corrections:

1. On page 101589, in the middle column, revise the text under **DATES** as follows:

Application Available: December 16, 2024.

Application Deadline: March 26, 2025.

Deadline for Intergovernmental Review: May 25, 2025.

2. On page 101591, in the third column, in the third line from the top, replace the words ''*Quality of project services*'' with the words ''*Quality of the project design*''.

3. On page 101592, in the second column, in paragraph (d), make the following corrections:

a. In the third and fourth lines, replace the words ''*Quality of project personnel and adequacy of resources,*'' with ''*Adequacy of resources,*''.

b. Revise paragraph (d)(3) to read as follows: ''(3) The project will make positive efforts to employ and advance in employment qualified individuals with disabilities; and''.

4. On page 101592, in the second column, in paragraph (e), make the following corrections:

a. Remove paragraph (5).

b. Redesignate paragraph (6) as paragraph (5).

c. Redesignate paragraph (7) as paragraph (6).

5. On page 101592, beginning in the third column and carrying over to the third column on page 101593, through but not including the heading ''Performance Measures:'', remove the *Selection Criteria* section, and add, in its place, the following:

''*Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 and are as follows:

(a) *Significance.* (15 points)

(1) The Secretary considers the significance of the proposed project.

(2) In determining the significance of the proposed project, the Secretary considers the following factors:

(i) The extent to which the proposed project will provide support, resources, or services; or otherwise address the needs of the target population, including addressing the needs of underserved populations most affected by the issue, challenge, or opportunity, to be addressed by the proposed project and close gaps in educational opportunity.

(ii) The likely utility of the resources (such as materials, processes,

techniques, or data infrastructure) that will result from the proposed project, including the potential for effective use in a variety of conditions, populations, or settings.

(iii) The extent to which the proposed project is likely to build local, State, regional, or national capacity to provide, improve, sustain, or expand training or services that address the needs of underserved populations.

(b) *Quality of project design.* (35 points)

(1) The Secretary considers the quality of the design of the proposed project.

(2) In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the proposed project demonstrates a rationale that is aligned with the purposes of the grant program.

(ii) The likely benefit to the intended recipients, as indicated by the logic model or other conceptual framework, of the services to be provided.

(iii) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified, measurable, and ambitious yet achievable within the project period, and aligned with the purposes of the grant program.

(iv) The extent to which the services to be provided by the proposed project were determined with input from the community to be served to ensure that they are appropriate and responsive to the needs of the intended recipients or beneficiaries, including underserved populations, of those services.

(v) The extent to which the proposed project is informed by similar past projects implemented by the applicant with demonstrated results.

(vi) The extent to which the proposed project will include coordination with other Federal investments, as well as appropriate agencies and organizations providing similar services to the target population.

(vii) The extent to which the services to be provided by the proposed project involve the use of efficient strategies, including the use of technology, as appropriate, and the leveraging of non-project resources.

(c) *Quality of the project evaluation or other evidence-building.* (15 points)

(1) The Secretary considers the quality of the evaluation or other evidence-building of the proposed project.

(2) In determining the quality of the evaluation or other evidence-building, the Secretary considers the following factors:

(i) The extent to which the methods of evaluation or other evidence-building are appropriate to the context within which the project operates and the target population of the proposed project.

(ii) The extent to which the methods of evaluation or other evidence-building will provide performance feedback and provide formative, diagnostic, or interim data that is a periodic assessment of progress toward achieving intended outcomes.

(iii) The extent to which the proposed project proposes specific, measurable targets, connected to strategies, activities, resources, outputs, and outcomes, and uses reliable administrative data to measure progress and inform continuous improvement.

(d) *Adequacy of resources.* (20 points)

(1) The Secretary considers the adequacy of resources for the proposed project.

(2) In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(i) The extent to which the project director or principal investigator, when hired, has the qualifications required for the project, including formal training or work experience in fields related to the objectives of the project and experience in designing, managing, or implementing similar projects for the target population to be served by the project.

(ii) The extent to which the key personnel in the project, when hired, have the qualifications required for the proposed project, including formal training or work experience in fields related to the objectives of the project, and represent or have lived experiences of the target population.

(iii) The adequacy of support for the project, including facilities, equipment, supplies, and other resources, from the applicant or the lead applicant organization.

(iv) The extent to which the costs are reasonable in relation to the number of persons to be served, the depth and intensity of services, and the anticipated results and benefits.

(e) *Quality of the management plan.* (15 points)

(1) The Secretary considers the quality of the management plan for the proposed project.

(2) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The feasibility of the management plan to achieve project objectives and goals on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(ii) The adequacy of mechanisms for ensuring high-quality and accessible products and services from the proposed project for the target population.

(iii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.''

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site, you can view this document, as well as all other Department documents published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Erin McHugh,

Deputy Assistant Secretary for Management and Planning and Acting Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2025–04087 Filed 3–19–25; 8:45 am]

BILLING CODE 4000–01–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: RP25–705–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Non-Conforming Negotiated Rate Agreement Filing (AEPCO—Diamondback) to be effective 4/1/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5115.

Comment Date: 5 p.m. ET 3/26/25.

Docket Numbers: RP25–706–000.

Applicants: TransCameron Pipeline, LLC.

Description: § 4(d) Rate Filing: Normal filing 2025 TSA to be effective 4/1/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5171.

Comment Date: 5 p.m. ET 3/26/25.

Docket Numbers: RP25–707–000.

Applicants: Natural Gas Pipeline Company of America LLC.

Description: § 4(d) Rate Filing: Negotiated Rate Agreements—Various Shippers March 14 2025 to be effective 4/1/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5193.

Comment Date: 5 p.m. ET 3/26/25.

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: RP25–513–001.

Applicants: Golden Triangle Storage, LLC.

Description: Compliance filing: Compliance to 104 to be effective 8/1/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5181.

Comment Date: 5 p.m. ET 3/26/25.

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 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04744 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4900–090]

Forestport Hydro, LLC; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License.

b. *Project No.:* 4900.

c. *Date Filed:* February 27, 2025.

d. *Applicant:* Forestport Hydro, LLC.

e. *Name of Project:* Forestport Hydroelectric Project.

f. *Location:* On the Black River in Oneida County, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Antonio Zarella, Chief Operating Officer, Forestport Hydro, LLC, 230 Park Avenue, Suite 447, New York, NY 10169; telephone at (315) 247–0253; email at *TZ@relevatepower.com.*

i. *FERC Contact:* Erin Mocko, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8107; email at *Erin.mocko@ferc.gov.*

j. *Cooperating Agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* April 28, 2025.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Forestport Hydroelectric Project (P–4900–090).

m. The application is not ready for environmental analysis at this time.

n. *Project Description:* The existing project consists of: (1) a dam (Forestport dam) that includes: (a) a 150-foot-long west embankment with a crest elevation of 1,132.7 National Geodetic Vertical Datum 1929 (NGVD29); (b) a 315-foot-long ogee spillway with a crest elevation of 1,126.3 feet NGVD29; and (c) a 40-foot long east embankment with a crest elevation of 1,132.7 NGVD29. The Forestport dam creates an impoundment that has a surface area of approximately 118 acres at a normal pool elevation of 1,126.55 feet NGVD29.

From the impoundment, water flows through two 8-foot-wide gates to an 820-foot-long canal (Feeder Canal) that leads to a forebay (Alder Pond) that is formed

by a 550-foot-long earth embankment with a crest elevation of 1,128 feet NGVD29 (Alder Pond dam). The embankment includes a 100-foot-long fuse plug emergency spillway.

From Alder Pond, water flows through an ungated outlet, located west of Alder Pond Dam, to a 1,836-foot-long power canal that includes a 20-foot-long air bladder leaf gate (Dutch Hill Wasteway) with a top elevation of 1,124.8 feet NGVD29. The power canal provides flow to a canal control structure that includes: (1) three 4-foot-long vertical slide gates; and (2) a 21-foot-long intake structure that includes a 12-foot-long stoplog gate and two 9-foot-long trashracks with 1.75-inch clear bar spacing. From the intake structure, water flows to a 323-foot-long penstock and a 68-foot-long, 32-foot-wide concrete powerhouse that includes a 3.3 megawatt (MW) S-type Kaplan turbine-generator. From the powerhouse, water is released into a 19.8-foot-long tailrace that discharges into the Black River.

The project generators are connected to the regional electric grid by six 4.16-kilovolt (kV) generator lead lines and a 4.16/46-kV transformer.

Project recreation facilities include: (1) Alder Pond parking and access area, adjacent to the east side of the Alder Pond dam; (2); Forestport impoundment parking and access area, adjacent to the Forestport dam on the northwest shore of the Forestport impoundment; (3) an approximately 1,200 foot-long portage route from the Forestport impoundment parking and access area to the Alder Pond parking and access area; (4) an approximately 150-foot-long power canal portage route around the south side of the canal control structure; and (5) a powerhouse parking and access area adjacent to the powerhouse.

The minimum and maximum hydraulic capacities of the powerhouse are 60 and 870 cubic feet per second (cfs), respectively. The average annual energy production of the project from 2019 through 2023 was 7,252 megawatt-hours.

The current license requires Forestport Hydro to operate the project in a run-of-river mode, such that outflow from the project approximates inflow. The current license also requires Forestport Hydro to release a year-round minimum flow of 140 cfs or inflow, whichever is less, to the Black River.

Forestport Hydro proposes to: (1) continue operating the project in a run-of-river mode and maintaining the surface elevation of the Forestport impoundment at 1,126.55 feet NGVD29; (2) maintain the surface elevation of Alder Pond between 1123.6 and 1,124.6 feet NGVD29; (3) release a minimum flow of 140 cfs or inflow, whichever is less, over the Forestport dam; (4) implement a draft Bat and Bald Eagle Management Plan and an Invasive Species Management Plan; (5) develop an operation compliance monitoring plan; (6) continue to maintain existing project recreation facilities and update directional and safety signage at project recreation facilities; (7) move the power canal portage take-out site to be upstream of the boat barrier; and (8) to protect cultural resources, consult with the New York State Historic Preservation Officer before beginning any land-clearing or land-disturbing activities.

o. In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) via the internet through the Commission's Home Page (*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 (P–4900). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

p. 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.*

q. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Issue Deficiency Letter and Request Additional Information—April 2025
Issue Scoping Document 1 for comments—August 2025
Request Additional Information (if necessary)—August 2025
Issue Notice of Application Accepted for Filing—August 2025
Issue Scoping Document 2 (if necessary)—September 2025
Issue Notice of Ready for Environmental Analysis—September 2025

r. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04700 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5062–049]

Quinebaug Associates, LLC; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 5062–049.

c. *Date Filed:* February 27, 2025.

d. *Applicant:* Quinebaug Associates, LLC (Quinebaug Associates).

e. *Name of Project:* Quinebaug-Five Mile Pond Hydroelectric Project.

f. *Location:* On the Quinebaug River and Five Mile River in Windham County, Connecticut.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Antonio Zarella, 230 Park Ave., Suite 447, New York, NY 10169; (315) 247–0253; *tz@relevatepower.com.*

i. *FERC Contact:* Amanda Gill at (202) 502–6773; or email at *amanda.gill@ferc.gov.*

j. *Cooperating Agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* April 28, 2025.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Quinebaug-Five Mile Pond Hydroelectric Project (P–5062–049).

m. The application is not ready for environmental analysis at this time.

n. *Project Description:* the existing Quinebaug-Five Mile Pond Hydroelectric Project consists of two developments: the 350-kilowatt (kW) Five Mile Pond Development on the Five Mile River, a tributary to the Quinebaug River; and the 1,831-kW Quinebaug Development, at the confluence of the Five Mile Pond River. Combined, the project has an authorized capacity of 2,181-kW and an average annual generation of 7,460 megawatt-hours between 2014 and 2023.

Five Mile Pond Development

The Five Mile Pond Development comprises: (1) an approximately 135-foot-long, 16.5-foot-high, stone masonry gravity dam (Five Mile Pond dam); (2) an approximately 100-foot-long overflow spillway; (3) an approximately 65-acre impoundment with a storage capacity of 260 acre-feet at a normal water surface elevation of 220.8 feet mean sea level (msl); (4) an approximately 280-foot-long, 30-foot-wide, and 12-foot-deep concrete stone and earthen canal; (5) an intake structure located at the terminus of the canal with a 10-foot-wide, 15-foot-deep, steel, 2-inch clear space trashrack; (6) a 30-foot-wide, 20-foot-long masonry and wood powerhouse; (7) a 350-kW turbine-generator; (8) a 15-feet-long, 30-feet-wide concrete tailrace, (9) a 2.3/23 kilovolt (kV) transformer; (10) a 120-foot-long, 2.3 kV transmission line; and (11) other appurtenant facilities.

Quinebaug Development

The Quinebaug Development comprises: (1) an approximately 250-foot-long, 14-foot-high stone dam (Rojak dam); (2) an approximately 130-foot-long spillway; (3) an 85-acre impoundment with a storage capacity of 283 acre-feet at a normal water surface elevation of 188 feet msl; (4) an approximately 40-foot-wide concrete and steel headgate structure with three 8-foot-wide by 9-foot-deep vertical slide gates; (5) an approximately 900-foot-long, 30-foot-wide, and 9.5-foot deep masonry open channel power canal; (6) a 26.5-foot-wide intake structure with a 3.5-inch clear space trashrack; (7) a 71-foot-long, 33-foot-wide, and 43-foot-high concrete powerhouse; (8) three turbine-generators (1,120 kW; 711 kW; and a 70 kW low flow unit; (9) a 15-foot-long, 33-foot-wide tailrace; (10) a 2.3/23-kV transformer; (11) a 120-foot-long, 2.3-kV transmission line; and (12) other appurtenant facilities.

The project creates an approximately 300-foot-long bypassed reach on the Five Mile River and an approximately 1,000-foot-long bypassed reach on the Quinebaug River. The project does not include any developed recreation facilities.

The current license requires Quinebaug Associates to operate the project in a run-of-river mode for the protection of fish and wildlife resources in the Quinebaug and Five Mile rivers. The current license also requires Quinebaug Associates to maintain a 77 cubic feet per second (cfs) continuous minimum flow in the bypassed reach downstream Rojak dam, and a 15 cfs minimum flow in the bypassed reach downstream Five Mile Pond dam, as measured immediately below the project dams, or inflow to the reservoirs, whichever is less, for the protection of fish and wildlife resources.

Quinebaug Associates proposes to: (1) continue to operate the project in run-of-river mode; (2) continue to release a continuous minimum flow of 77 cfs downstream of Rojak dam, and a continuous minimum flow of 15 cfs downstream of Five Mile Pond dam, or inflow to the project reservoirs, whichever is less; (3) develop a flow management and monitoring plan; (4) install upstream eel passage facilities at each development; and (5) enhance downstream fish passage at each development.

o. Copies of the application 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 (P–5062). For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or call tollfree, (866) 208–3676 or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

p. 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.*

q. *Procedural Schedule and Final Amendments:* the application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Deficiency Letter (if necessary).	April 2025.
Request Additional Information	April 2025.
Issue Scoping Document 1 for comments.	July 2025.
Issue Acceptance Letter	August 2025.
Request Additional Information (if necessary).	August 2025.
Issue Scoping Document 2 (if necessary).	September 2025.

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04699 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM24–4–000]

Supply Chain Risk Management Reliability Standards Revisions; Supplemental Notice of Supply Chain Workshop

As announced in the Notice of Supply Chain Workshop issued in this proceeding on February 24, 2025, staff of the Federal Energy Regulatory Commission (Commission) and North American Electric Reliability Corporation (NERC) will hold a joint workshop on March 20, 2025, from 1 p.m. to 5 p.m. EDT at the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The workshop will focus on the ''assessment'' aspect of supply chain risk management (SCRM). Specifically, the workshop panels will discuss the proposed directive in the Commission's September 19, 2024, Notice of Proposed Rulemaking [1] to require that entities establish steps in SCRM plans to validate the completeness and accuracy of information received from vendors during the procurement process to better inform the identification and assessment of supply chain risks associated with vendors' software, hardware, or services.

The workshop will take place in a hybrid format, with panelists participating in person and attendees allowed in person or virtually. The conference will be open for the public to attend, and there is no fee for attendance. All in-person attendees must register here. Virtual attendance does not require registration. Information on this workshop, including the links for virtual attendance and for submitting questions online during the Q&A sessions of the workshop, will be posted on the Calendar of Events on the Commission's website here the morning of the event.

Attached to this Supplemental Notice is an agenda for the workshop, which includes additional information on the discussions. Participation in the discussions will be limited to invited panelists and staff members from the Commission and NERC. However, interested parties are encouraged to listen to and observe the discussions. During the Q&A sessions, in-person attendees may ask live questions and virtual attendees may submit written questions online. The conference will also be transcribed. Transcripts will be available for a fee from Ace Reporting, (202) 347–3700. The Commission will accept comments following the workshop in Docket No. RM24–4–000, with a deadline of March 28, 2025.

This workshop will be accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an email to *accessibility@ferc.gov* or call toll free (866) 208–3372 (voice) or (202) 502–8659 (TTY), or send a fax to (202) 208–2106 with the required accommodations.

For more information about this workshop, please contact Alan Herd at *alan.herd@ferc.gov,* Jamie Calderon at *jamie.calderon@nerc.net,* or Michaelson Buchanan at *michaelson.buchanan@nerc.net.*

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04697 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

[1] *Supply Chain Risk Management Reliability Standards Revisions,* Notice of Proposed Rulemaking, 188 FERC ¶ 61,174 (2024).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6398–026]

Hackett Mills Hydro Associates, LLC; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 6398–026.

c. *Date filed:* August 31, 2022.

d. *Applicant:* Hackett Mills Hydro Associates, LLC (Hackett Mills Hydro).

e. *Name of Project:* Hackett Mills Hydroelectric Project.

f. *Location:* On the Little Androscoggin River, in the towns of Poland and Minot, in Androscoggin County, Maine. The project does not occupy any Federal land.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Matthew Nini, Hackett Mills Hydro Associates, LLC c/o Eagle Creek Renewable Energy, LLC, 7315 Wisconsin Avenue, Suite 1100W, Bethesda, Maryland 20814; phone: (973) 998–8171; email: *matthew.nini@eaglecreekre.com.*

i. *FERC Contact:* John Matkowski at (202) 502–8576 or *john.matkowski@ferc.gov.*

j. *Deadline for filing motions to intervene and protests:* 60 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Hackett Mills Hydroelectric Project (P–6398–026).

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted but is not ready for environmental analysis.

l. The existing Hackett Mills Project consists of: (1) a 186-foot-long dam that consists of two spillway sections: a 101-foot-long, 8-foot-high rock filled timber crib dam with an uncontrolled spillway (main spillway section) and a 85-foot-long, 8-foot-high concrete gravity dam with three uncontrolled bays (secondary spillway section); (2) an obsolete sluice gatehouse that connects the main spillway and the secondary spillway sections; (3) a 3.5-mile-long, 60-acre impoundment with no useable storage capacity at a normal maximum water surface elevation of 235.05 feet; [1] (4) a 17.5-foot-long, 40-foot-high and 22-foot-wide intake structure containing five gates; (5) a 100-foot-long, 25-foot-wide, 10-foot-deep power canal; (6) a 20-feet-long, 43.5-foot-high and 22-feet-wide concrete powerhouse located at the end of the canal containing one 485-kilowatt right angle drive bulb turbine-generator

[1] All elevations are reported in National Geodetic Vertical Datum of 1929 (NGVD 29).

unit, with a minimum hydraulic capacity of 113 cubic-feet-per-second (cfs) and a maximum hydraulic capacity of 474 cfs; (7) a downstream fish passage facility; (8) a 200-foot-long, 12.5-kilovolt transmission line; and (9) appurtenant facilities.

The Hackett Mills Project is currently operated in a run-of-river mode and generates 1,602 megawatt-hours annually. Hackett Mills Hydro proposes to continue operating the project as a run-of-river facility and does not propose any new construction to the project.

m. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*https://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the sub-docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.

You may also register online at *https://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. 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, 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.*

o. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

p. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Issue Scoping Document 1 for comments—April 2025
Comments on Scoping Document 1 Due—May 2025
Issue Scoping Document 2 (if necessary)—July 2025
Issue Notice of Ready for Environmental Analysis—August 2025

Dated: March 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04742 Filed 3–19–25; 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 exempt wholesale generator filings:

Docket Numbers: EG25–228–000.
Applicants: Wakefield BESS 1 LLC.
Description: Wakefield BESS 1 LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/14/25.
Accession Number: 20250314–5146.
Comment Date: 5 p.m. ET 4/4/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER21–21–005.
Applicants: Harts Mill Solar, LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM Interconnection to be effective N/A.
Filed Date: 3/14/25.
Accession Number: 20250314–5216.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER22–1539–002.
Applicants: NRG Power Marketing LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 3/14/25.
Accession Number: 20250314–5198.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER23–2688–002.
Applicants: NRG Business Marketing LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 3/14/25.
Accession Number: 20250314–5206.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER24–2022–001.
Applicants: Black Hills Power, Inc.
Description: Compliance filing: Order Nos. 2023 and 2023–A Further Compliance Filing to be effective 8/1/2024.
Filed Date: 3/14/25.
Accession Number: 20250314–5134.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1594–000.
Applicants: Hickory Wind LLC.
Description: Request of Hickory Wind LLC for Prospective Tariff Waiver, Expedited Action, and Shortened Comment Period.
Filed Date: 3/13/25.
Accession Number: 20250313–5169.
Comment Date: 5 p.m. ET 4/3/25.

Docket Numbers: ER25–1606–000.
Applicants: ISO New England Inc., New England Power Pool Participants Committee.
Description: § 205(d) Rate Filing: ISO New England Inc. submits tariff filing per 35.13(a)(2)(iii: ISO–NE & NEPOOL; Revision to Update the ISO Billing Policy to be effective 6/1/2025.
Filed Date: 3/14/25.
Accession Number: 20250314–5062.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1607–000.
Applicants: Electric Power Markets USA LLC.
Description: § 205(d) Rate Filing: Petition for Blanket MBR Authorization w/Waivers & Expedited Treatment to be effective 5/1/2025.
Filed Date: 3/14/25.
Accession Number: 20250314–5079.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1618–000.
Applicants: MidAmerican Energy Company, Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: MidAmerican Energy Company submits tariff filing per 35.13(a)(2)(iii: 2025–03–14_SA 4460 MidAmerican-MidAmerican E&P (J3047 & J3553) to be effective 3/13/2025.
Filed Date: 3/14/25.
Accession Number: 20250314–5164.
Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1619–000.
Applicants: Consumers Energy Company.

Description: Tariff Amendment: Notice of Termination—WDS Service Agrmt. with Alpena Power Co. to be effective 3/14/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5187.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1620–000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: § 205(d) Rate Filing: 2025_1 Interchange Agreement Annual Filing to be effective 1/1/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5188.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1621–000.

Applicants: Wilderness Line Holdings, LLC.

Description: Compliance filing: Order No. 904 Compliance Filing to be effective 3/15/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5192.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1622–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original GIA Service Agreement No. 7597; Project Identifier No. AG1–254 to be effective 2/12/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5194.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1623–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original NSA Service Agreement SA No. 7476; Queue No. AA1–145 to be effective 5/14/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5221.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1630–000.

Applicants: Wakefield BESS 1 LLC.

Description: § 205(d) Rate Filing: Wakefield BESS 1 LLC MBR Tariff to be effective 5/14/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5264.

Comment Date: 5 p.m. ET 4/4/25.

Docket Numbers: ER25–1631–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original GIA, Service Agreement No. 7591; AG1–555 to be effective 2/12/2025.

Filed Date: 3/14/25.

Accession Number: 20250314–5266.

Comment Date: 5 p.m. ET 4/4/25.

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: *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 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04745 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–52–000]

Natural Gas Pipeline Company of America, LLC; Notice of Schedule for the Preparation of an Environmental Assessment for the Gulf Coast Storage Expansion Project

On January 17, 2025, Natural Gas Pipeline Company of America, LLC (Natural) filed an application in Docket No. CP25–52–000 requesting a Certificate of Public Convenience and Necessity pursuant to Section 7(c) of the Natural Gas Act to construct and operate certain natural gas pipeline facilities. The proposed project is known as the Gulf Coast Storage Expansion Project (Project) and would increase the certificated peak day withdrawal level at Natural's North Lansing Storage Field from 1,240 million cubic feet per day (MMcf/d) to 1,420 MMcf/d. The Project would allow Natural to meet growing demand for natural gas storage to meet seasonal demand requirements and create additional resiliency to withstand supply or demand disruptions.

On January 23, 2025, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing Federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a Federal authorization within 90 days of the date of issuance of the Commission staff's environmental document for the Project.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the Project and the planned schedule for the completion of the environmental review.[1] The EA will be issued for a 30-day comment period.

Schedule for Environmental Review

Issuance of EA—August 14, 2025
90-day Federal Authorization Decision Deadline [2]—November 12, 2025

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Project Description

Natural proposes to convert about 10 billion cubic feet of cushion gas to working gas at its North Lansing Storage Field by installing one new 12,000 horsepower electric-driven compressor unit at its Compressor Station 388; approximately 5.6 miles of 30-inch-diameter loop line; and various appurtenances, located in Harrison County, Texas. According to Natural, the Project would allow the company to meet growing demand for natural gas storage and create additional resiliency to withstand supply or demand disruptions.

Background

On February 18, 2025, the Commission issued a ''Notice of Scoping Period Requesting Comments on Environmental Issues for the

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1739953064.

[2] The Commission's deadline applies to the decisions of other Federal agencies, and State agencies acting under federally delegated authority, that are responsible for Federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per 18 CFR 157.22(a), the Commission's deadline for other agency's decisions applies unless a schedule is otherwise established by Federal law.

Proposed Gulf Coast Storage Expansion Project'' (Notice of Scoping). The Notice of Scoping was sent to affected landowners; Federal, State, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. In response to the Notice of Scoping, the Commission received comments from the Teamsters National Pipeline Labor Management Cooperation Trust and the Texas Parks and Wildlife Department. The primary issues raised by the commenters are construction procedures, effects on threatened and endangered species, and impacts on the local economy. All substantive comments received will be addressed in the EA.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

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.*

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208–FERC or on the FERC website (*www.ferc.gov*). Using the ''eLibrary'' link, select ''General Search'' from the eLibrary menu, enter the selected date range and ''Docket Number'' excluding the last three digits (*i.e.,* CP25–52), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208–3676, TTY (202) 502–8659, or at *FERCOnlineSupport@ferc.gov.* The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: March 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04743 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2832–023]

Boise-Kuna, Nampa & Meridian, Wilder and Big Bend Irrigation Districts; Notice of Intent To File License Application, Filing of Pre-Application Document (Pad), Commencement of ILP Pre-Filing Process and Scoping, Request for Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Pre-filing Licensing Process.

b. *Project No.:* 2832–023.

c. *Dated Filed:* January 31, 2025.

d. *Submitted By:* Boise-Kuna, Nampa & Meridian, Wilder and Big Bend Irrigation Districts.

e. *Name of Project:* Lucky Peak Hydroelectric Project (Lucky Peak Project or project).

f. *Location:* The project is located on the Boise River in Ada County, Idaho, approximately 10 miles southeast of the City of Boise, in a region known as the ''Treasure Valley''. It is located 69.2 miles upstream of the Boise River's confluence with the Snake River and is integrated into the Corps' Lucky Peak Dam.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's regulations.

h. *Applicant Contact:* Sarah Higer, Hydropower License Manager, 9731 E Highway 21, Boise, ID 83716; phone: (208) 343–2091, ext. 9; email at *sarah@luckypeakpower.org.*

i. *FERC Contact:* Golbahar Mirhosseini, (202) 502–6820 *golbahar.mirhosseini@ferc.gov.*

j. *Cooperating Agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the Idaho State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating the Districts as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, the Magnuson-Stevens Fishery Management and Conservation Act, and section 106 of the National Historic Preservation Act.

m. The Districts filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits of the sub-docket in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available via the contact in paragraph h.

You may register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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, 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 at *OPP@ferc.gov.*

o. With this notice, we are soliciting comments on the PAD and Commission staff's Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in

paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file documents using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Lucky Peak Project (P–2832–023).

All filings with the Commission must bear the appropriate heading: ''Comments on Pre-Application Document,'' ''Study Requests,'' ''Comments on Scoping Document 1,'' ''Request for Cooperating Agency Status,'' or ''Communications to and from Commission Staff.'' Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by May 12, 2025.

p. *Scoping Process:* In accordance with the National Environmental Policy Act (NEPA), Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the ''NEPA document''). The NEPA document will consider both site-specific and cumulative environmental effects, and reasonable alternatives to the proposed action. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission prepares an environmental assessment or Environmental Impact Statement.

Scoping Meetings

Commission staff will hold two scoping meetings for the project to receive input on the scope of the NEPA document. An evening meeting will focus on receiving input from the public and a daytime meeting will focus on concerns of resource agencies, Native American tribes, and non-governmental organizations (NGO). We invite all interested agencies, Native American tribes, NGOs, and the public to attend one or both meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA document. The dates and times of the scoping meetings are listed below.

Evening Scoping Meeting

Date: Tuesday, April 15, 2025.

Time: 6:30 p.m. to 8:30 p.m. Mountain Daylight Time (MDT).

Location: Hyatt Place Boise/Downtown, 1024 West Bannock Street, Boise, ID 83702.

Daytime Scoping Meeting

Date: Wednesday, April 16, 2025.

Time: 10:30 a.m. to 12:30 p.m. MDT.

Location: Hyatt Place Boise/Downtown, 1024 West Bannock Street, Boise, ID 83702.

Copies of SD1, outlining the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list and Districts' PAD distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov,* using the ''eLibrary'' link. Follow the directions for accessing information in paragraph m. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Visit

The Districts and Commission staff will hold an environmental site visit of the Lucky Peak Project on Tuesday, April 15, 2025, 10:30 a.m. to 12:30 p.m. MDT.

Meeting Location: Powerplant address: 9731 E Highway 21, Boise, ID 83716; Coordinates: 43.528971, –116.057076.

Directions: From ID–21 turn onto East Sandy Point Road. Pass the entrance to Lucky Peak powerplant and continue driving on East Sandy Point Road until you reach the parking lot. The meeting spot is located near the circular driveway at the west side of the parking lot. Please arrive by 10:15 a.m.

Meeting Procedures

Agencies, Native American Tribes, NGOs, and individuals with environmental expertise and concerns are encouraged to attend the meetings and to assist the staff in defining and clarifying the issues to be addressed in the NEPA document. At the start of each meeting, Commission staff will provide a brief overview of the meeting format and objectives. Individual oral comments will be taken on a one-on-one basis with a court reporter (with Commission staff present). This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. If all individuals who wish to provide comments have had an opportunity to do so, Commission staff may conclude the meeting a half hour earlier than the scheduled time. Please see appendix C of the SD1 for additional information on the session format and conduct.[1]

Scoping comments will be recorded by the court reporter and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system. If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in writing or provided orally at a scoping session. Although there will not be a formal presentation, Commission staff will be available throughout the scoping meeting(s) to answer your questions about the environmental review process. Representatives from Districts will also be present to answer project-specific questions.

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04701 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

[1] The appendix referenced in this notice will not appear in the **Federal Register**. Copies of the appendix were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the ''eLibrary'' link. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov*, or (866) 208–3676 (toll free) or (202) 502–8659 (TTY).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP25–89–000; CP25–90–000]

Northwest Pipeline LLC; Portland General Electric Company; B–R Pipeline, LLC; KB Pipeline Company; Notice of Applications and Establishing Intervention Deadline

Take notice that on February 27, 2025, Northwest Pipeline LLC (Northwest), Post Office Box 1396, Houston, Texas 77251, filed an application under section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations requesting authorization to acquire, own and operate the existing 18-mile-long, 20-inch-diameter Kelso-Beaver Pipeline (KB Pipeline) from joint owners Portland General Electric Company (PGE), KB Pipeline Company (KB), and B–R Pipeline, LLC (B–R). Northwest also requests authorization to expand the KB Pipeline, immediately upon acquisition, by installing a new 5,500 horsepower compressor station in Cowlitz County, Washington and making the KB Pipeline bi-directional (KB Reliability Project or Project). The Project will create 52,400 Dekatherms per day (Dth/d) of firm incremental westbound capacity and 131,000 Dth/d of firm incremental eastbound capacity. Northwest estimates the total cost of the Project to be $60,800,979 and proposes to charge TFL–1 incremental recourse reservation rates for the firm lateral transportation service under the Project, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition, on February 27, 2025, PGE, 121 SW Salmon Street, Portland, Oregon 97204; B–R, 550 West Adams Street, Chicago, Illinois 60661; and KB, 250 SW Taylor Street, Portland, Oregon 97204 (jointly, Applicants) filed an application under section 7(b) of the NGA and Parts 157 and 284 of the Commission's regulations requesting authorization to abandon the KB Pipeline by sale to Northwest, and to abandon their respective Part 157 and Part 284 blanket certificates, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions regarding the application in Docket No. CP25–89–000 may be directed to Travis Beach, Sr. Regulatory Analyst, Northwest Pipeline LLC, Post Office Box 1396, Houston, Texas 77251, by phone at (346) 439–0447, or by email at *travis.beach@williams.com.*

Any questions regarding the application in Docket No. CP25–90–000 should be directed to the following individuals: Justin Mills, Senior Gas Pipeline Program Manager, Portland General Electric, 121 SW Salmon Street, Portland, Oregon 97204, by phone at (503) 464–2957, or by email at *justin.mills@pgn.com;* Joe Mayette, Senior Manager, Energy, USG Corporation, 550 West Adams Street, Chicago, Illinois 60661, by phone at (312) 436–5882, or by email at *jmayette@usg.com;* and Scott Johnson, Director of Gas Supply, Northwest Natural Gas Company, 250 SW Taylor Street, Portland, Oregon 97204, by phone at (503) 721–2469, or by email at *scott.johnson@nwnatural.com.*

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,[1] within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

[1] 18 CFR 157.9.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on April 3, 2025. How to file protests, motions to intervene, and comments is explained below.

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.*

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be.

Protests

Pursuant to sections 157.10(a)(4)[2] and 385.211[3] of the Commission's regulations under the NGA, any person[4] may file a protest to the application. Protests must comply with the requirements specified in section 385.2001[5] of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before April 3, 2025.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please

[2] 18 CFR 157.10(a)(4).

[3] 18 CFR 385.211.

[4] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[5] 18 CFR 385.2001.

reference the Project docket numbers CP25–89–000 and/or CP25–90–000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket numbers (CP25–89–000 and/or CP25–90–000).

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. *However, the filing of a comment alone will not serve to make the filer a party to the proceeding.* To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,[6] has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure[7] and the regulations under the NGA[8] by the intervention deadline for the project, which is April 3, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket numbers CP25–89–000 and/or CP25–90–000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Intervention.'' The eFiling feature includes a document-less intervention option; for more information, visit *https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf;* or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket numbers CP25–89–000 and/or CP25–90–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the Northwest either by mail at: Travis Beach, Sr. Regulatory Analyst, Northwest Pipeline LLC, Post Office Box 1396, Houston, Texas 77251 or by email (with a link to the document) at *travis.beach@williams.com.* Any subsequent submissions by an intervenor must be served on Northwest and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

Protests and motions to intervene must be served on the Applicants either by mail at: Justin Mills, Senior Gas Pipeline Program Manager, Portland General Electric, 121 SW Salmon Street, Portland, Oregon 97204; Joe Mayette, Senior Manager, Energy, USG Corporation, 550 West Adams Street, Chicago, Illinois 60661; and Scott Johnson, Director of Gas Supply, Northwest Natural Gas Company, 250 SW Taylor Street, Portland, Oregon 97204; or by email (with a link to the document) at *justin.mills@pgn.com, jmayette@usg.com,* and *scott.johnson@nwnatural.com.* Any subsequent submissions by an intervenor must be served on the Applicants and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed[9] motions to intervene are automatically granted by operation of Rule 214(c)(1).[10] Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.[11] A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic)

[6] 18 CFR 385.102(d).

[7] 18 CFR 385.214.

[8] 18 CFR 157.10.

[9] The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[10] 18 CFR 385.214(c)(1).

[11] 18 CFR 385.214(b)(3) and (d).

of all documents filed by the applicant and by all other parties.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Intervention Deadline: 5 p.m. Eastern Time on April 3, 2025.

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04702 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15320–001]

Stirling T. Hebenstreit; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On June 24, 2024, and as supplemented on October 16, 2024, and December 31, 2024, Stirling T. Hebenstreit, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Energy Production from Deep Ocean Pressure Project No. 15320 (project), to be located on Commencement Bay in Pierce County, Washington. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) a 65-foot long, 25-foot-wide, 11-foot-high single-haul floating steel barge (surface platform), moored to the seafloor using anchors and mooring buoys; (2) a 1-inch diameter, 575-foot-long stainless-steel screw gate valve stem rod descending from the surface platform to an intake opening gate; (3) a 4-foot-diameter vertical intake opening with an adjustable gate valve located at a depth of about 560 feet from the water surface; (4) a 3-foot-long, 4- to 8-foot-diameter vertical intake raceway pipe; (5) an axial turbine with 3- to 4-foot-long turbine blades housed within the intake raceway and connected to a submerged 4-foot-long, 4-foot-wide, 6-foot-high hermetically-sealed stainless-steel box containing a single 1.67-megawatt (MW) generator; (6) two 20-foot-long, 8.5-foot-wide, 8-foot-high, aluminum tanks situated on the seafloor that receive water exiting the turbine; (7) air compressors connected to hoses and air actuators to control the flow of turbine discharge water into and between the tanks; (8) six 1.33-foot-diameter outlet pipes that discharge water from the tanks to the sea; (9) two 560-foot-long steel pipe raceways containing a total of five 1-inch diameter, 560-foot-long aluminum-core conductor cables to transmit electricity from the generator to two 10 megawatt-hour sodium-ion energy storage battery banks located on the floating surface platform; and (10) appurtenant facilities. Battery banks would be transported to and from the surface platform and the Port of Tacoma using a supply vessel. The estimated annual generation of the project would be about 827,542 megawatt-hours.

Applicant Contact: Stirling T. Hebenstreit, Stirling Industries LLC, 3303 Paty Drive, Honolulu, Hawaii 96822; telephone at (571) 535–5966.

FERC Contact: John Matkowski; phone (202) 502–8576; email at *john.matkowski@ferc.gov.*

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–15320–001.

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 filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

More information about this project, including a copy of the application, can be viewed on the Commission's website (*https://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number (P–15320) in the docket number field to access the document. For assistance, please contact FERC Online Support.

Dated: March 13, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–04698 Filed 3–19–25; 8:45 am]

BILLING CODE 6717–01–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 4, 2025.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President), 1 Memorial Drive, Kansas City, Missouri, 64198–0001. Comments can also be sent electronically to *KCApplicationComments@kc.frb.org:*

1. *Emma Ryan, Heartwell, Nebraska;* to join the Ryan Family Group, a group acting in concert, to acquire voting shares of First Central Nebraska Co., and thereby indirectly acquire voting shares of Nebraska State Bank and Trust Company, both of Broken Bow, Nebraska.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–04781 Filed 3–19–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–N–0150]

Revocation of Three Authorizations of Emergency Use of In Vitro Diagnostic Devices for Detection and/or Diagnosis of COVID–19; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the revocation of the Emergency Use Authorizations (EUAs) (the Authorizations) issued to Beckman Coulter, Inc., for the Access SARS–CoV–2 IgG, Access SARS–CoV–2 IgM, and Access SARS–CoV–2 IgG II tests. FDA revoked the Authorizations under the Federal Food, Drug, and Cosmetic Act (FD&C Act) as requested by the Authorization holder. The revocations, which include an explanation of the reasons for each revocation, are reprinted at the end of this document.

DATES: The revocation of the Authorization for the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG, Access SARS–CoV–2 IgM, and Access SARS–CoV–2 IgG II tests are effective as of January 8, 2025.

ADDRESSES: Submit written requests for a single copy of the revocations to the Office of Policy, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request or include a fax number to which the revocations may be sent. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the revocations.

FOR FURTHER INFORMATION CONTACT: Kim Sapsford-Medintz, Office of Product Evaluation and Quality, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3216, Silver Spring, MD 20993–0002, 301–796–0311 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Section 564 of the FD&C Act (21 U.S.C. 360bbb–3) as amended by the Project BioShield Act of 2004 (Pub. L. 108–276) and the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (Pub. L. 113–5) allows FDA to strengthen the public health protections against biological, chemical, radiological, or nuclear agent or agents. Among other things, section 564 of the FD&C Act allows FDA to authorize the use of an unapproved medical product or an unapproved use of an approved medical product in certain situations.

On June 26, 2020, FDA issued the Authorization to Beckman Coulter, Inc., for the Access SARS–CoV–2 IgG test, subject to the terms of the Authorization. Notice of the issuance of this Authorization was published in the **Federal Register** on November 20, 2020 (85 FR 74346), as required by section 564(h)(1) of the FD&C Act.

On October 8, 2020, FDA issued the Authorization to Beckman Coulter, Inc., for the Access SARS–CoV–2 IgM test, subject to the terms of the Authorization. Notice of the issuance of this Authorization was published in the **Federal Register** on April 23, 2021 (86 FR 21749), as required by section 564(h)(1) of the FD&C Act.

On March 22, 2021, FDA issued the Authorization to Beckman Coulter, Inc., for the Access SARS–CoV–2 IgG II test, subject to the terms of the Authorization. Notice of the issuance of this Authorization was published in the **Federal Register** on July 23, 2021 (86 FR 39040), as required by section 564(h)(1) of the FD&C Act.

Subsequent updates to the Authorizations were made available on FDA's website. The authorization of a device for emergency use under section 564 of the FD&C Act may, pursuant to section 564(g)(2) of the FD&C Act, be revoked when the criteria under section 564(c) of the FD&C Act for issuance of such authorization are no longer met (section 564(g)(2)(B) of the FD&C Act), or other circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the FD&C Act).

II. Authorizations Revocation Requests

In a request received by FDA on November 22, 2024, Beckman Coulter, Inc., requested the revocation of, and on January 8, 2025, FDA revoked, the Authorization for the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG test. Beckman Coulter, Inc., notified FDA of their intent to discontinue distribution of the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG test as of January 1, 2025, and requested FDA revoke the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG test. FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

In a request received by FDA on November 22, 2024, Beckman Coulter, Inc., requested the revocation of, and on January 8, 2025, FDA revoked, the Authorization for the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgM test. Beckman Coulter, Inc., notified FDA of their intent to discontinue distribution of the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgM test as of January 1, 2025, and requested FDA revoke the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgM test. FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

In a request received by FDA on November 22, 2024, Beckman Coulter, Inc., requested the revocation of, and on January 8, 2025, FDA revoked, the Authorization for the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG II test. Beckman Coulter, Inc., notified FDA of their intent to discontinue distribution of the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG II test as of January 1, 2025, and requested FDA revoke the Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG II test. FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

III. Electronic Access

An electronic version of this document and the full text of the revocations are available on the internet at *https://www.regulations.gov/.*

IV. The Revocations

Having concluded that the criteria for revocation of the Authorizations under section 564(g)(2)(C) of the FD&C Act are met, FDA has revoked the EUAs of Beckman Coulter, Inc.'s Access SARS–CoV–2 IgG, Access SARS–CoV–2 IgM, and Access SARS–CoV–2 IgG II tests. The revocations in their entirety follow and provide an explanation of the reasons for revocation, as required by section 564(h)(1) of the FD&C Act.

BILLING CODE 4164–01–P

January 8, 2025

Veronica Colinayo, Ph.D.
Staff Regulatory Affairs
Beckman Coulter, Inc.
250 S Kraemer Blvd,
Brea, CA 92821
Re: Revocation of EUA201527

Dear Dr. Colinayo:
This letter is in response to a notification from Beckman Coulter, Inc., in a letter dated November 22, 2024, of their intent to discontinue, as of January 1, 2025, distribution of the Access SARS-CoV-2 IgG that was issued an EUA on June 26, 2020, and amended on September 23, 2021, December 17, 2021, and February 7, 2022. Beckman Coulter, Inc. confirmed in an email dated December 10, 2024, in response to clarifying questions from FDA, that they would have ceased distribution of the authorized product effective January 1, 2025, and that they intended to have FDA revoke the EUA. FDA understands that as of the date of this letter there are no viable Access SARS-CoV-2 IgG reagents remaining in distribution in the United States.

The authorization of a device for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). Because Beckman Coulter, Inc. has requested that FDA revoke the EUA for the Access SARS-CoV-2 IgG, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization. Accordingly, FDA hereby revokes EUA201527 for the Access SARS-CoV-2 IgG, pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, the Access SARS-CoV-2 IgG is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,

//s//

Ellen J. Flannery, J.D.
Deputy Center Director for Policy
Director, Office of Policy
Center for Devices and Radiological Health
Food and Drug Administration

January 8, 2025

Veronica Colinayo, Ph.D.
Staff Regulatory Affairs
Beckman Coulter, Inc.
250 S Kraemer Blvd,
Brea, CA 92821
Re: Revocation of EUA202631

Dear Dr. Colinayo:
This letter is in response to a notification from Beckman Coulter, Inc., in a letter dated November 22, 2024, of their intent to discontinue, as of January 1, 2025, distribution of the Access SARS-CoV-2 IgM that was issued an EUA on October 8, 2020, and amended on September 23, 2021, December 13, 2021, and February 7, 2022. Beckman Coulter, Inc. confirmed in an email dated December 10, 2024, in response to clarifying questions from FDA, that they would have ceased distribution of the authorized product effective January 1, 2025, and that they intended to have FDA revoke the EUA. FDA understands that as of the date of this letter there are no viable Access SARS-CoV-2 IgM reagents remaining in distribution in the United States.

The authorization of a device for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). Because Beckman Coulter, Inc. has requested that FDA revoke the EUA for the Access SARS-CoV-2 IgM, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization. Accordingly, FDA hereby revokes EUA202631 for the Access SARS-CoV-2 IgM, pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, the Access SARS-CoV-2 IgM is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,

//s//

Ellen J. Flannery, J.D.
Deputy Center Director for Policy
Director, Office of Policy
Center for Devices and Radiological Health
Food and Drug Administration

U.S. FOOD & DRUG ADMINISTRATION

January 8, 2025

Veronica Colinayo, Ph.D.
Staff Regulatory Affairs
Beckman Coulter, Inc.
250 S Kraemer Blvd,
Brea, CA 92821
Re: Revocation of EUA203021

Dear Dr. Colinayo:
This letter is in response to a notification from Beckman Coulter, Inc., in a letter dated November 22, 2024, of their intent to discontinue, as of January 1, 2025, distribution of the Access SARS-CoV-2 IgG II that was issued an EUA on March 22, 2021, revised and reissued on August 18, 2021, and amended on December 20, 2021. Beckman Coulter, Inc. confirmed in an email dated December 10, 2024, in response to clarifying questions from FDA, that they would have ceased distribution of the authorized product effective January 1, 2025, and that they intended to have FDA revoke the EUA. FDA understands that as of the date of this letter there are no viable Access SARS-CoV-2 IgG II reagents remaining in distribution in the United States.

The authorization of a device for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). Because Beckman Coulter, Inc. has requested that FDA revoke the EUA for the Access SARS-CoV-2 IgG II, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization. Accordingly, FDA hereby revokes EUA203021 for the Access SARS-CoV-2 IgG II, pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, the Access SARS-CoV-2 IgG II is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,

//s//

Ellen J. Flannery, J.D.
Deputy Center Director for Policy
Director, Office of Policy
Center for Devices and Radiological Health
Food and Drug Administration

Dated: March 13, 2025.
P. Ritu Nalubola,
Associate Commissioner for Policy.
[FR Doc. 2025–04710 Filed 3–19–25; 8:45 am]
BILLING CODE 4164–01–C

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2004–N–0451]

Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 063

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled ''Modifications to the List of Recognized Standards, Recognition List Number: 063'' (Recognition List Number: 063), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices.

DATES: Submit either electronic or written comments on the notice at any time. These modifications to the list of recognized standards are applicable March 20, 2025.

ADDRESSES: You may submit comments on the current list of FDA Recognized Consensus Standards at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2004–N–0451 for ''Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 063.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500. FDA will consider any comments received in determining whether to amend the current listing of modifications to the list of recognized standards, Recognition List Number: 063.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

An electronic copy of Recognition List Number: 063 is available on the internet at *https://www.fda.gov/medical-devices/division-standards-and-conformity-assessment/federal-register-documents.* See section IV for electronic access to the searchable database for the current list of FDA-recognized consensus standards, including Recognition List Number: 063 modifications and other standards-related information. Submit written requests for a single hard copy of the document entitled ''Modifications to the List of Recognized Standards, Recognition List Number: 063'' to Terry Woods, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Silver Spring, MD 20993, 301–796–2503. Send one self-addressed adhesive label to assist that office in processing your request or fax your request to 301–847–8144.

FOR FURTHER INFORMATION CONTACT: Terry Woods, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Silver Spring, MD 20993, 301–796–2503, *CDRHStandardsStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Section 204 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) amended section 514 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360d). Amended section 514 of the FD&C Act allows FDA to recognize consensus standards developed by international and national organizations for use in satisfying portions of device premarket review submissions or other requirements.

In the **Federal Register** of September 14, 2018 (83 FR 46738), FDA announced the availability of a guidance entitled ''Appropriate Use of Voluntary Consensus Standards in Premarket Submissions for Medical Devices.'' The guidance describes how FDA has implemented its standards recognition program and is available at *https://www.fda.gov/regulatory-information/search-fda-guidance-documents/appropriate-use-voluntary-consensus-standards-premarket-submissions-medical-devices.* Modifications to the initial list of recognized standards, as published in the **Federal Register**, can be accessed at *https://www.fda.gov/medical-devices/standards-and-conformity-assessment-program/federal-register-documents.*

These notices describe the addition, withdrawal, and revision of certain standards recognized by FDA. The Agency maintains on its website HTML and PDF versions of the list of FDA Recognized Consensus Standards, available at *https://www.fda.gov/medical-devices/standards-and-conformity-assessment-program/federal-register-documents.* Additional information on the Agency's Standards and Conformity Assessment Program is available at *https://www.fda.gov/medical-devices/premarket-submissions-selecting-and-preparing-correct-submission/division-standards-and-conformity-assessment.*

II. Modifications to the List of Recognized Standards, Recognition List Number: 063

FDA is announcing the addition, withdrawal, correction, and revision of certain consensus standards the Agency is recognizing for use in premarket submissions and other requirements for devices. FDA is incorporating these modifications to the list of FDA Recognized Consensus Standards in the Agency's searchable database. FDA is using the term ''Recognition List Number: 063'' to identify the current modifications.

In table 1, FDA describes the following modifications: (1) the withdrawal of standards and their replacement by others, if applicable; (2) the correction of errors made by FDA in listing previously recognized standards; and (3) the changes to the supplementary information sheets of recognized standards that describe revisions to the applicability of the standards.

In section III, FDA lists modifications the Agency is making that involve new entries and consensus standards added as modifications to the list of recognized standards under Recognition List Number: 063.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change
		A. Anesthesiology	
1–153	1–180	NFPA 99:2024 Health Care Facilities Code	Withdrawn and replaced with newer version.
1–154	1–181	ASME PVHO–1–2023 Safety Standard for Pressure Vessels for Human Occupancy.	Withdrawn and replaced with newer version.
1–75	1–182	ISO 5362 Fifth edition 2024–07 Anaesthetic and respiratory equipment—Anaesthetic reservoir bags.	Withdrawn and replaced with newer version.
1–99	1–183	ASTM G175–24 Standard Test Method for Evaluating the Ignition Sensitivity and Fault Tolerance of Oxygen Pressure Regulators Used for Medical and Emergency Applications.	Withdrawn and replaced with newer version.
1–140	1–184	ISO 80601–2–55 Second edition 2018–02 [Including AMD1:2023] Medical electrical equipment—Part 2–55: Particular requirements for the basic safety and essential performance of respiratory gas monitor [Including Amendment 1 (2023)].	Withdrawn and replaced with newer version.
1–143	1–185	ISO 80601–2–79 Second edition 2024–08 Medical electrical equipment—Part 2–79: Particular requirements for basic safety and essential performance of ventilatory support equipment for ventilatory impairment.	Withdrawn and replaced with newer version.
1–144	1–186	ISO 80601–2–80 Second edition 2024–08 Medical electrical equipment—Part 2–80: Particular requirements for basic safety and essential.	Withdrawn and replaced with newer version.
1–146	1–187	ISO 80601–2–12 Third edition 2023–11 Medical electrical equipment—Part 2–12: Particular requirements for basic safety and essential performance of critical care ventilators.	Withdrawn and replaced with newer version.
1–160	1–188	ISO 80601–2–84 Second edition 2023–11 Medical electrical equipment—Part 2–84: Particular requirements for the basic safety and essential performance of ventilators for the emergency medical services environment.	Withdrawn and replaced with newer version.
		B. Biocompatibility	
2–266	2–304	ASTM F2382–24 Standard Test Method for Assessment of Circulating Blood-Contacting Medical Device Materials on Partial Thromboplastin Time (PTT).	Withdrawn and replaced with newer version.
		C. Cardiovascular	
3–54		ANSI AAMI ISO 7198:2016 Cardiovascular implants and extracorporeal systems—Vascular prostheses—Tubular vascular grafts and vascular patches.	Transferred. See 3–144.
3–143	3–193	ISO 12417–1 Second edition 2024–02 Cardiovascular implants and extracorporeal systems—Vascular device-drug combination products—Part 1: General requirements.	Withdrawn and replaced with newer version. Extent of recognition.
3–150	3–194	ISO 7199 Fourth edition 2024–09 Cardiovascular implants and artificial organs—Blood-gas exchangers (oxygenators).	Withdrawn and replaced with newer version.
3–157		ANSI AAMI ISO 25539–1:2017 Cardiovascular implants—Endovascular devices—Part 1: Endovascular prostheses.	Transferred. See 3–149.
3–159	3–195	ISO 5910 Second edition 2024–07 Cardiovascular implants and extracorporeal systems—Cardiac valve repair devices.	Withdrawn and replaced with newer version.
3–166	3–196	ISO 81060–2 Third edition 2018–11 [Including AMD1:2020 and AMD2:2024] Non-invasive sphygmomanometers—Part 2: Clinical investigation of intermittent automated measurement type [Including: AMENDMENT 1 (2020) and AMENDMENT 2 (2024)].	Withdrawn and replaced with newer version. Extent of recognition.
		D. Dental/Ear, Nose, and Throat (ENT)	
4–97	4–328	ANSI/ADA Standard No. 57–2021 Endodontic Sealing Materials	Withdrawn and replaced with newer version.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change
4–149	.....	ANSI/ADA Standard No. 39–2006 (R2011) Pit and Fissure Sealants	Withdrawn. See 4–222.
4–251	4–329	ISO 6872 Fifth edition 2024–08 Dentistry—Ceramic materials	Withdrawn and replaced with newer version.
4–272	4–330	ANSI/ADA Standard No. 63–2020 Endodontic Instruments—Auxillary	Withdrawn and replaced with newer version.
4–291	4–331	ISO 28399 Third Edition 2021–03 Dentistry—External tooth bleaching products.	Withdrawn and replaced with newer version.
E. General I (Quality Systems/Risk Management) (QS/RM)			
No new entries at this time.			
F. General II (Electrical Safety/Electromagnetic Compatibility) (ES/EMC)			
19–10	19–51	UL 1642 Sixth Edition September 29, 2020 Standard For Safety Lithium Batteries.	Withdrawn and replaced with newer version.
19–11	19–52	UL 2054 Third Edition November 17, 2021 Standard For Safety Household and Commercial Batteries.	Withdrawn and replaced with newer version.
G. General Hospital/General Plastic Surgery (GH/GPS)			
6–406	6–504	ASTM F1862/F1862M–24 Standard Test Method for Resistance of Medical Face Masks to Penetration by Synthetic Blood (Horizontal Projection of Fixed Volume at a Known Velocity).	Withdrawn and replaced with newer version.
H. In Vitro Diagnostics (IVD)			
7–189	7–322	CLSI M47 2nd Edition; Principles and Procedures for Blood Cultures	Withdrawn and replaced with newer version.
7–266	7–323	CLSI EP19 3rd Edition A Framework for Using CLSI Documents to Evaluate Clinical Laboratory Measurement Procedures.	Withdrawn and replaced with newer version.
7–279	7–324	CLSI M07 12th Edition Methods for Dilution Antimicrobial Susceptibility Tests for Bacteria That Grow Aerobically.	Withdrawn and replaced with newer version.
7–280	7–325	CLSI M02 14th Edition Performance Standards for Antimicrobial Disk Susceptibility Tests.	Withdrawn and replaced with newer version.
7–292	7–326	CLSI M24S 2nd Edition Performance Standards for Susceptibility Testing of Mycobacteria, Nocardia spp., and Other Aerobic Actinomycetes.	Withdrawn and replaced with newer version.
7–317	7–327	CLSI M100 34th Edition Performance Standards for Antimicrobial Susceptibility Testing.	Withdrawn and replaced with newer version.
I. Materials			
8–393	8–618	ASTM F1350–24 Standard Specification for Wrought 18 Chromium-14 Nickel-2.5 Molybdenum Stainless Steel Surgical Fixation Wire (UNS S31673).	Withdrawn and replaced with newer version.
8–405	8–619	ISO 5832–4 Fourth edition 2024–04 Implants for surgery—Metallic materials—Part 4: Cobalt-chromium-molybdenum casting alloy.	Withdrawn and replaced with newer version.
8–406	8–620	ISO 5832–11 Third edition 2024–03 Implants for surgery—Metallic materials—Part 11: Wrought titanium 6-aluminium 7-niobium alloy.	Withdrawn and replaced with newer version.
8–435	8–621	ISO 5832–1 Sixth edition 2024–04 Implants for surgery—Metallic materials—Part 1: Wrought stainless steel.	Withdrawn and replaced with newer version.
8–476	8–622	ASTM F2004–24 Standard Test Method for Transformation Temperature of Nickel-Titanium Alloys by Thermal Analysis.	Withdrawn and replaced with newer version.
8–481	8–623	ASTM F1314–24 Standard Specification for Wrought Nitrogen Strengthened 22Chromium-13Nickel-5Manganese-2.5Molybdenum Stainless Steel Alloy Bar and Wire for Surgical Implants (UNS S20910).	Withdrawn and replaced with newer version.
8–522	8–624	ASTM F2129–24 Standard Test Method for Conducting Cyclic Potentiodynamic Polarization Measurements to Determine the Corrosion Susceptibility of Small Implant Devices.	Withdrawn and replaced with newer version.
8–599	8–625	ASTM F1295–24 Standard Specification for Wrought Titanium-6 Aluminum-7Niobium Alloy for Surgical Implant Applications (UNS R56700).	Withdrawn and replaced with newer version.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change
J. Nanotechnology			
No new entries at this time.			
K. Neurology			
No new entries at this time.			
L. Obstetrics-Gynecology/Gastroenterology/Urology (OB-Gyn/G/Urology)			
No new entries at this time.			
M. Ophthalmic			
No new entries at this time.			
N. Orthopedic			
11–254	.....	ISO 14630 Fourth edition 2012–12–01 Non-active surgical implants—General requirements.	Withdrawn with transition. See 5–143.
11–308	11–410	ASTM F3161–24 Standard Test Method for Finite Element Analysis (FEA) of Metallic Orthopaedic Total Knee Femoral Components under Closing Conditions.	Withdrawn and replaced with newer version.
11–310	11–411	ASTM F1611–20 (Reapproved 2024) Standard Specification for Intramedullary Reamers.	Withdrawn and replaced with newer version.
11–317	11–412	ASTM F3129–24 Standard Guide for Characterization of Material Loss from Conical Taper Junctions in Total Joint Prostheses.	Withdrawn and replaced with newer version.
11–327	11–413	ASTM F543–23 Standard Specification and Test Methods for Metallic Medical Bone Screws.	Withdrawn and replaced with newer version.
11–333	11–414	ASTM F382–24 Standard Specification and Test Method for Metallic Bone Plates.	Withdrawn and replaced with newer version.
11–350	11–415	ASTM F2554–22 Standard Practice for Measurement of Positional Accuracy of Computer-Assisted Surgical Systems.	Withdrawn and replaced with newer version.
11–372	11–416	ASTM F2996–24 Standard Test Method for Finite Element Analysis (FEA) of Non-Modular Metallic Orthopaedic Hip Femoral Stems.	Withdrawn and replaced with newer version.
11–382	11–417	ASTM F3090–24 Standard Test Method for Fatigue Testing of Acetabular Devices for Total Hip Replacement and Performance Requirements.	Withdrawn and replaced with newer version.
O. Physical Medicine			
No new entries at this time.			
P. Radiology			
12–259	12–362	IEC 61674 Edition 3.0 2024–07 Medical electrical equipment—Dosimeters with ionization chambers and/or semiconductor detectors as used in X-ray diagnostic imaging.	Withdrawn and replaced with newer version.
12–352	12–363	NEMA PS 3.1–3.20 2024e Digital Imaging and Communications in Medicine (DICOM) set.	Withdrawn and replaced with newer version.
Q. Software/Informatics			
13–116	13–140	FIRST CVSS v4.0 Common Vulnerability Scoring System version 4.0	Withdrawn and replaced with newer version.
13–18	.....	CLSI LIS03–A Standard Guide for Selection of a Clinical Laboratory Information Management System.	Withdrawn.
13–19	.....	CLSI LIS04–A Standard Guide for Documentation of Clinical Laboratory Computer Systems.	Withdrawn.
13–20	.....	CLSI LIS05–A Standard Specification for Transferring Clinical Observations Between Independent Computer Systems.	Withdrawn.
13–21	.....	CLSI LIS06–A Standard Practice for Reporting Reliability of Clinical Laboratory Information Systems.	Withdrawn.
13–22	.....	CLSI LIS07–A Standard Specification for Use of Bar Codes on Specimen Tubes in the Clinical Laboratory.	Withdrawn.
13–23	.....	CLSI LIS08–A Standard Guide for Functional Requirements of Clinical Laboratory Information Management Systems.	Withdrawn.
13–24	.....	CLSI LIS09–A Standard Guide for Coordination of Clinical Laboratory Services within the Electronic Health Record Environment and Networked Architectures.	Withdrawn.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change
R. Sterility			
14–290	14–606	ANSI/AAMI ST24:2024 General-purpose ethylene oxide sterilizers with automated process control and ethylene oxide sterilant sources intended for use in health care facilities.	Withdrawn and replaced with newer version.
14–432	14–607	ANSI/AAMI ST58:2024 Chemical sterilization and high-level disinfection in health care facilities.	Withdrawn and replaced with newer version.
14–460		ISO 11140–1 Third edition 2014–11–01 Sterilization of health care products—Chemical indicators—Part 1: General requirements.	Extent of Recognition.
14–588	14–609	AAMI TIR17:2024 Compatibility of materials subjected to sterilization	Withdrawn and replaced with newer version.
S. Tissue Engineering			
No new entries at this time.			

[1] All standard titles in this table conform to the style requirements of the respective organizations.

III. Listing of New Entries

In table 2, FDA provides the listing of new entries and consensus standards added as modifications to the list of recognized standards under Recognition List Number: 063. These entries are of standards not previously recognized by FDA.

TABLE 2—NEW ENTRIES TO THE LIST OF RECOGNIZED STANDARDS

Recognition No.	Title of standard [1]	Reference No. and date
A. Anesthesiology		
1–189	Anaesthetic and respiratory equipment—Vocabulary	ISO 4135 Fourth edition 2022–01.
1–190	Anaesthetic and respiratory equipment—Heat and moisture exchangers (HMEs) for humidifying respired gases in humans—Part 1: HMEs for use with minimum tidal volumes of 250 ml.	ISO 9360–1 First edition 2000–03.
1–191	Anaesthetic and respiratory equipment—Heat and moisture exchangers (HMEs) for humidifying respired gases in humans—Part 2: HMEs for use with tracheostomized patients having minimum tidal volumes of 250 ml.	ISO 9360–2 First edition 2001–04.
1–192	Anaesthetic and respiratory equipment—Cuff pressure indication, control and regulation devices.	ISO 23371 First edition 2022–05.
B. Biocompatibility		
No new entries at this time.		
C. Cardiovascular		
3–197	Cardiovascular implants—Endovascular devices—Part 4: Application of ISO 17327–1 for coated endovascular devices.	ISO 25539–4 First edition 2021–11.
D. Dental/ENT		
4–332	Implantable Materials for Bone Filling and Augmentation in Oral and Maxillofacial Surgery—Contents of a Technical File.	ANSI/ADA Standard No. 206–2024.
4–333	Dentistry—Endodontic instruments—Part 4: Auxiliary instruments	ISO 3630–4 Second edition 2023–08.
4–334	Dentistry—Amalgam separators	ISO 11143 Second edition 2008–07.
4–335	Dentistry—Single-use cartridges for local anaesthetics	ISO 11499 Third edition 2014–06.
4–336	Dentistry—Powered scaler	ISO 18397 First edition 2016–01.
4–337	Dentistry—Powder jet handpieces and powders	ISO 20608 First edition 2018–04.
4–338	Dentistry—Rotational adaptability test between implant body and implant abutment in dental implant systems.	ISO 22683 First edition 2022–05.
E. General I (QS/RM)		
5–143	Non-active surgical implants—General requirements	ISO 14630 Fifth edition 2024–09.
F. General II (ES/EMC)		
19–53	Medical electrical equipment—Part 4–6: Guidance and interpretation—Voluntary guidance to help achieve basic safety and essential performance with regard to the possible effects of electromagnetic disturbances.	IEC TS 60601–4–6 Edition 1.0 2024–04.

TABLE 2—NEW ENTRIES TO THE LIST OF RECOGNIZED STANDARDS—Continued

Recognition No.	Title of standard [1]	Reference No. and date
	G. GH/GPS	
6–503	Systems for evacuation of plume generated by medical device	ISO 16571 Second edition 2024–03.
	H. IVD	
	No new entries at this time.	
	I. Materials	
8–626	Standard Test Method for Conducting Rotating Bending Fatigue Tests of Solid Round Fine Wire.	ASTM E2948–24.
8–627	Standard Practice for Validating the Additive Manufacturing (AM) Production Process for Medical Devices Produced Using Laser Powder Bed Fusion.	ASTM F3604–23.
	J. Nanotechnology	
	No new entries at this time.	
	K. Neurology	
	No new entries at this time.	
	L. OB-Gyn/Gastro/Urology	
	No new entries at this time.	
	M. Ophthalmic	
	No new entries at this time.	
	N. Orthopedic	
11–418	Standard Test Method for Assessment of Intra-operative Durability of Intervertebral Body Fusion Devices.	ASTM F3631–24.
11–419	Standard Test Method for Evaluating Suture Anchor Insertion and Pull Displacement Resistance.	ASTM F3690–24.
	O. Physical Medicine	
	No new entries at this time.	
	P. Radiology	
12–364	Evaluation and routine testing in medical imaging departments—Part 3–8: Acceptance and constancy tests—Imaging performance of X-ray equipment for radiography and radioscopy.	IEC 61223–3–8 Edition 1.0 2024–03.
12–365	Diagnostic X-ray imaging equipment—Characteristics of general purpose and mammographic anti-scatter grids.	IEC 60627 Edition 3.0 2013–07.
12–366	Evaluation and routine testing in medical imaging departments—Part 3–6: Acceptance and constancy tests—Imaging performance of mammographic X-ray equipment used in a mammographic tomosynthesis mode of operation.	IEC 61223–3–6 Edition 1.0 2020–02.
	Q. Software/Informatics	
13–141	Health informatics—Device interoperability Part 10701: Point-of-care medical device communication—Metric provisioning by participants in a Service-oriented Device Connectivity (SDC) system.	ISO/IEEE 11073–10701 First Edition 2024–09.
	R. Sterility	
14–604	Sterilization of health care products—Microbiological methods—Part 3: Bacterial endotoxin testing.	ISO 11737–3 First edition 2023–06.
14–605	Sterilization of health care products—Radiation—Substantiation of selected sterilization dose: Method VDmaxSD.	ISO 13004 First edition 2022–10.
14–608	Microbiological methods—Understanding and use of product bioburden data	AAMI TIR106:2024.
	S. Tissue Engineering	
	No new entries at this time.	

[1] All standard titles in this table conform to the style requirements of the respective organizations.

IV. List of Recognized Standards

FDA maintains the current list of FDA Recognized Consensus Standards in a searchable database that may be accessed at *https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfStandards/search.cfm.* Such standards are those that FDA has recognized by notice published in the **Federal Register** or that FDA has decided to recognize but for which recognition is pending (because a periodic notice has not yet appeared in the **Federal Register**). FDA will announce additional modifications and revisions to the list of recognized consensus standards, as needed, in the **Federal Register** once a year, or more often if necessary.

V. Recommendation of Standards for Recognition by FDA

Any person may recommend consensus standards as candidates for recognition under section 514 of the FD&C Act by submitting such recommendations, with reasons for the recommendation, to *CDRHStandardsStaff@fda.hhs.gov.* To be considered, such recommendations should contain, at a minimum, the information available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/standards-and-conformity-assessment-program#process.*

Dated: March 13, 2025.

P. Ritu Nalubola,

Associate Commissioner for Policy.

[FR Doc. 2025–04711 Filed 3–19–25; 8:45 am]

BILLING CODE 4164–01–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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development, Special Emphasis Panel; Small Business: Gynecological Health.

Date: April 30, 2025.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Vera A. Cherkasova, Ph.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Room 2137B, Bethesda, MD 20892, (240) 478–4580, email: *vera.cherkasova@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04750 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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 of Neurological Disorders and Stroke Special Emphasis Panel; Clinical Trials in Neurology.

Date: April 15–16, 2025.

Time: 9:00 a.m. to 8:00 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: Ana Olariu, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH, NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, (301) 496–9223, email: *Ana.Olariu@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; NINDS SBIR Devices.

Date: April 17–18, 2025.

Time: 9:00 a.m. to 6:00 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: Ana Olariu, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH, NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, (301) 496–9223, email: *Ana.Olariu@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Small Business: Advancing Research on Alzheimer's Disease (AD) and AD-Related Dementias.

Date: April 22, 2025.

Time: 10:00 a.m. to 1:00 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: Mirela Milescu, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH, NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, email: *mirela.milescu@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; SBIR application review.

Date: April 29, 2025.

Time: 10:00 a.m. to 6:00 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: W. Ernest Lyons, Ph.D., Scientific Review Officer, Scientific Review Branch, NINDS/NIH, NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, (301) 496–4056, *lyonse@ninds.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04723 Filed 3–19–25; 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; Optimizing Behavioral Sleep Interventions.

Date: April 24, 2025.

Time: 10:00 a.m. to 5:00 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: Claudio Dario Ortiz, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Blvd., Rockville, MD 20892, (240) 869–9245, email: *claudio.ortiz@nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04729 Filed 3–19–25; 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 9, 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 17, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04796 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Integrative Health; 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 National Advisory Council for Complementary and Integrative Health.

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 Advisory Council for Complementary and Integrative Health.

Date: April 8, 2025.

Closed: 9:00 a.m. to 11:00 a.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, DEM 2, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Martina Schmidt, Ph.D., Director, Division of Extramural Activities, National Center for Complementary & Integrative Health, NIH, 6707 Democracy Blvd., Suite 401, Bethesda, MD 20892, (301) 594–3456, *schmidma@mail.nih.gov.*

Information is also available on the Institute's/Center's home page: *https://nccih.nih.gov/about/naccih,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: March 14, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04726 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Medical Rehabilitation Research Resource (P50 Clinical Trial Optional).

Date: April 7–8, 2025.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

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: Kimberly L Houston, M.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health & Human Development, National Institutes of Health, 6710B Rockledge Drive, Rm 2137C Bethesda, MD 20892, (301) 827–4902, *kimberly.houston@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 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04665 Filed 3–19–25; 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 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 on Aging Special Emphasis Panel; AI/ML Tools for Behavioral and Social Science Research.

Date: April 24, 2025.

Time: 2:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Janetta Lun, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Bethesda, MD 20892, (301) 827–4588, email: *janetta.lun@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04773 Filed 3–19–25; 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; Psychedelic-Assisted Therapy for Chronic Pain.

Date: April 22, 2025.

Time: 10:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Janetta Lun, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 827–4588, email: *janetta.lun@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04772 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Small Business: Pregnancy, Perinatology and Pediatrics.

Date: April 17, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child, Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

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, 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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04748 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Women's Reproductive Health Research (WRHR) Program (K12).

Date: April 3–4, 2025.

Time: 9:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

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: Mei Qin, M.D., Ph.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Suite 401, Bethesda, MD 20892, *mei.qin@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 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04670 Filed 3–19–25; 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 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 on Aging Special Emphasis Panel; Microphysiological Systems for AD/ADRD Therapy Development.

Date: May 6, 2025.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Birgit Neuhuber, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, 301–827–6548, email: *birgit.neuhuber@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04775 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–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.

Address: National Institute of Dental & Craniofacial Research, 31 Center Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04755 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Small Business: Rehabilitation and Bioengineering.

Date: May 6, 2025.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Magnus A. Azuine, Ph.D., Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health & Human Development, National Institutes of Health, 6710B Rockledge Drive, Room 2125C, Bethesda, MD 20817, (301) 480–4645, email: *magnus.azuine@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04738 Filed 3–19–25; 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: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Neural Oxidative Metabolism and Death Study Section.
Date: April 14–15, 2025.
Time: 9:00 a.m. to 8:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Christine Jean DiDonato, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1014J, Bethesda, MD 20892, (301) 435–1042, email: *didonatocj@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Nucleic Acid Therapeutic Delivery (NATD).
Date: April 14–15, 2025.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Jingwu Xie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–8625, email: *jingwu.xie@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cognition, Speech, Language and Mental Health.
Date: April 15, 2025.
Time: 9:30 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Sara Louise Hargrave, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, Bethesda, MD 20892, (301) 443–7193, email: *hargravesl@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cell Signaling, Structure, and Function.
Date: April 21, 2025.
Time: 10:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Anne Marie Strohecker, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, email: *stroheckeram@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Endocrinology, Metabolism and Reproductive Systems.
Date: April 23, 2025.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Dawanna Nicole James-holly, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–2776, email: *dawanna.james-holly@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–24–129: Specific Pathogen Free Macaque Colonies.
Date: April 28, 2025.
Time: 1:00 p.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Latha Malaiyandi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 812Q, Bethesda, MD 20892, (301) 435–1999, email: *malaiyandilm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Infectious Diseases and Immunology.
Date: May 1–2, 2025.
Time: 9:30 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Milene Lara Brownlow, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (984) 287–3209, email: *milene.brownlow@nih.gov.*

Name of Committee: Center for Scientific Review, Special Emphasis Panel; Member Conflict: Health Services and Systems.
Date: May 5, 2025.
Time: 9:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Siddhartha Shankar Roy, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (706) 373–3901, email: *royss@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Societal and Ethical Issues in Research.
Date: May 5–6, 2025.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Abigail A. Haydon, MPH, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 435–4806, email: *haydonaba@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: International and Cooperative Projects for the Emerging Global Leader Award.
Date: May 7–8, 2025.
Time: 8:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Lauren Penney, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–1968, email: *penneyls@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training in Veterinary and Comparative Medicine.
Date: May 9, 2025.
Time: 11:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
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, *gubina@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04737 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–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 a meeting of the Board of Scientific Counselors, National Institute of Dental and Craniofacial Research.

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 of Dental & Craniofacial Research, 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, National Institute of Dental and Craniofacial Research.

Date: May 29, 2025.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Meeting Format: Virtual Meeting.

Address: National Institute of Dental & Craniofacial Research, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Yun Mei, MD, Scientific Review Officer, Scientific Review Branch, National Institute of Dental & Craniofacial Research, National Institutes of Health, 31 Center Drive, Bethesda, MD 20892, 301–827–4639, email: *yun.mei@nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: March 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04674 Filed 3–19–25; 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; Clinical Trials for Aging Conditions.

Date: April 9, 2025.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, M.D., Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20819, (301) 496–9374, email: *maurizio.grimaldi@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04733 Filed 3–19–25; 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 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 or contract proposals 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 Heart, Lung, and Blood Institute Special Emphasis Panel; National Gene Vector Biorepository Contract Review.

Date: April 23, 2025.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Susan Wohler Sunnarborg, 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–Z, Bethesda, MD 20892, (301) 827–7987, email: *susan.sunnarborg@nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; K 38 Review Meeting.

Date: April 23, 2025.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kristen Page, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Suite 209B, Bethesda, MD 20892, (301) 827–7953, email: *kristen.page@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04761 Filed 3–19–25; 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; Clinical Trials for the management of Early- and Late-AD.

Date: April 11, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, M.D., Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–9374, email: *maurizio.grimaldi@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04771 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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 of Neurological Disorders and Stroke Special Emphasis Panel; NINDS Cell & Data Repository (U24) Review.

Date: April 10, 2025.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Joel A. Saydoff, Ph.D. Scientific Review Officer, Scientific Review Branch Division of Extramural Activities NINDS/NIH NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, 301–496–9223, *joel.saydoff@nih.gov*.

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; NINDS SBIR–STTR Review Panel.

Date: April 10, 2025

Time: 11:00 a.m. to 6:00 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: Tatiana Pasternak, Ph.D., Scientific Review Officer, Scientific Review Branch, 6001 Executive Blvd., NINDS/NIH NSC, 6001 Executive Blvd., MSC 9529, Bethesda, MD 20892, 301–496–9223, *tatiana.pasternak@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: March 14, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04666 Filed 3–19–25; 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 Initial Review Group; Effectiveness of Mental Health Interventions Study Section.

Date: April 22–23, 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, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Claudio Dario Ortiz, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (240) 869–9245, email: *claudio.ortiz@nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04668 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; 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 of Diabetes and Digestive and Kidney Diseases (NIDDK) Special Emphasis Panel; PAR22–069: High Impact Interdisciplinary Science in NIDDK Research Areas (RC2).

Date: May 6, 2025.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, Division of Extramural Activities, National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases,

Room 7353, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, email: *barnardm@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Toward ElucidAting MechanismS of HIV Pathogenesis.

Date: May 8, 2025.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, Division of Extramural Activities, National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Room 7353, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, email: *barnardm@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Time-Sensitive Obesity Review.

Date: May 14, 2025.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, Division of Extramural Activities, National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Room 7353, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, *barnardm@extra.niddk.nih.gov*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04675 Filed 3–19–25; 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 2024–1 Phase I: Adjuvant Development for Vaccines for Infectious and Immune-Mediated Diseases (Topic 128).

Date: February 3–4, 2024.

Time: 9:00 a.m. to 6:00 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 3G22, Rockville, MD 20892 (Video Assisted Meeting).

Contact Person: Michael M. Opata, 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 3G22, Rockville, MD 20852, 240–627–3319, *michael.opata@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 17, 2025.

Melanie Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04759 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer 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/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 grant applications/contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel; TEP–6: SBIR Contract Review.

Date: April 22, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 7W246, Rockville, Maryland 20850.

Meeting Format: Virtual Meeting.

Contact Person: Jun Fang, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W246, Rockville, Maryland 20850, 240–276–5460, *jfang@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; Scaling-up and Maintaining Evidence-based Interventions to Maximize Impact on Cancer (SUMMIT) UG3/UH3.

Date: May 8, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 7W244, Rockville, Maryland 20850.

Meeting Format: Virtual Meeting.

Contact Person: John Paul Cairns, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W244, Rockville, Maryland 20850, 240–276–5415, *paul.cairns@nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group; Institutional Training and Education Study Section (F).

Date: June 17–18, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 7W234, Rockville, Maryland 20850.

Meeting Format: Virtual Meeting.

Contact Person: Adriana Stoica, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W234, Rockville, Maryland 20850, 240–276–6368, *Stoicaa2@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI SPORE (P50) Review SEP–II.

Date: June 25–26, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W244, Rockville, Maryland 20850.

Meeting Format: Virtual Meeting.

Contact Person: Amr M. Ghaleb, Ph.D., Scientific Review Officer, Research Program Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W244, Rockville, Maryland 20850, 240–276–6611, *amr.ghaleb@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI Pathway to Independence Award for Outstanding Early-Stage Postdoctoral Researchers (K99/R00) and Mentored Research Scientist Development Award (K01).

Date: July 17–18, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W238, Rockville, Maryland 20850.

Meeting Format: Virtual Meeting.

Contact Person: Byeong-Chel Lee, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W238, Rockville, Maryland 20850, 240–276–7755, *byeong-chel.lee@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: March 17, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04780 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing 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 Nursing Research Special Emphasis Panel: NINR Small Business Grant Review.

Date: April 17, 2025.

Time: 1:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institute of Nursing Research, 6700B Rockledge Drive, Bethesda, MD 20892.

Contact Person: Joshua R Wolff, Ph.D., National Institute of Nursing Research, Scientific Review Officer, 6701 Democracy Blvd., Bethesda, MD 20817, (301) 793–5758, *josh.wolff@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: March 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04673 Filed 3–19–25; 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 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 Human Genome Research Institute Special Emphasis Panel; Population Genomic Screening.

Date: April 30, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Room 3180, Bethesda, MD 20892.

Meeting Format: Video Assisted Meeting.

Contact Person: Sarah J. Wheelan, MD, Ph.D., Scientific Review Officer, Scientific Review Branch, National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Room 3180, Bethesda, MD 20892, (301) 402–8823, email: *wheelansj@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04740 Filed 3–19–25; 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; Research Enhancement Awards: Cell and Molecular Biology.

Date: April 15, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Beverly Ann Doran, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–0597, *beverly.baptiste@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Oncology.

Date: April 17–18, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Reigh-Yi Lin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 4152, MSC 7846, Bethesda, MD 20892, (301) 827–6009, *lin.reigh-yi@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–24–

167 and PAR–24–259 Panel for R24 and S15 Instrumentation.

Date: April 23–24, 2025.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Stephanie Nicole Hicks, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–5710, *hickssn@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Genes, Genomes, and Genetics.

Date: April 28–29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Linda Wagner Jurata, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–8032, *linda.jurata@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Gastroenterology.

Date: April 29, 2025.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Frederique Yiannikouris, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3313, *frederique.yiannikouris@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–23–281: Research Projects to Enhance Applicability of Mammalian Models for Translational Research.

Date: May 14, 2025.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Alireza Seyed Alavi, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–8032, *ali.alavi@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 17, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04778 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; 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 Environmental Health Sciences Special Emphasis Panel; NIH Pathway to Independence and Mentored Research Scientist Development Award.

Date: April 17–18, 2025.

Time: 10:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, Research Triangle Park, NC 27713.

Meeting Format: Virtual Meeting.

Contact Person: Murali Ganesan, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training (DERT), National Institute of Environmental Health Sciences, National Institutes of Health, Keystone Building, Room 3097, Research Triangle Park, NC 27713, Phone: 984–287–4674, email: *murali.ganesan@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04760 Filed 3–19–25; 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 a meeting of the Board of Scientific Counselors, National Institute of Mental Health.

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 of Mental Health, 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, National Institute of Mental Health.

Date: June 4–6, 2025.

Time: June 04, 2025, 12:30 p.m. to 5:00 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Address: Porter Neuroscience Research Center, Building 35A, 35 Convent Drive, Bethesda, MD 20892, In Person and Virtual Meeting.

Time: June 05, 2025, 10:00 a.m. to 5:45 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Address: Porter Neuroscience Research Center, Building 35A, 35 Convent Drive, Bethesda, MD 20892, In Person and Virtual Meeting.

Time: June 06, 2025, 10:00 a.m. to 2:50 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Address: Porter Neuroscience Research Center, Building 35A, 35 Convent Drive, Bethesda, MD 20892, In Person and Virtual Meeting.

Contact Person: Jennifer E Mehren, Ph.D., Scientific Advisor, Division of Intramural Research Programs, National Institute of Mental Health, National Institutes of Health, 35A Convent Drive, Bethesda, MD 20892–

3747, 301–496–3501, email: *mehrenj@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04725 Filed 3–19–25; 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; Impact of Sex Differences on the AD Risk.

Date: April 23, 2025.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Sandhya Sanghi, Ph.D., Scientific Review 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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04732 Filed 3–19–25; 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; Clinical Trials for the management of Early- and Late-AD.

Date: April 11, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, M.D., Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–9374, email: *maurizio.grimaldi@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04734 Filed 3–19–25; 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; Therapeutic CNS Gene Delivery.

Date: April 28, 2025.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Birgit Neuhuber, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, 301–827–6548, email: *birgit.neuhuber@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04774 Filed 3–19–25; 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; Clinical Trials for Aging Conditions.

Date: April 18, 2025.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, M.D., Ph.D., Scientific Review Officer, National

Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–9374, email: *maurizio.grimaldi@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04776 Filed 3–19–25; 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; Mechanisms of Inducing HIV Immunity in Early Life (MIEL) (U01 Clinical Trial Not Allowed).

Date: April 24, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892.

Meeting Format: Video Assisted Meeting.

Contact Person: Samita S. Andreansky, Ph.D., Scientific Review Officer, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892, 240–669–2915, *samita.andreansky@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 14, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04667 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing 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 Nursing Research Special Emphasis Panel: NINR Conference Application Review Meeting.

Date: April 15, 2025.

Time: 10:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Meeting Format: Virtual Meeting.

Address: National Institute of Nursing Research, 6700B Rockledge Drive, Bethesda, MD 20892.

Contact Person: Weiqun Li, MD, Chief, Office of Scientific Review, National Institute of Nursing Research, National Institutes of Health, 6701 Democracy Boulevard, Room 729, Bethesda, MD 20892, (301) 594–5966, email: *wli@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: March 14, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04676 Filed 3–19–25; 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 a meeting of the Board of Scientific Counselors, NIA.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended for the review, discussion, and evaluation of individual grant applications conducted by the National Institute On Aging, 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, NIA.

Date: May 19–21, 2025.

Time: May 19, 2025, 8:00 a.m. to 4:30 p.m.

Agenda: Executive Session; Board Business; Review of Labs and PI's; Adjournment.

Address: National Institute of Aging, 251 Bayview Boulevard, Baltimore, MD 21224 (Virtual Meeting).

Time: May 20, 2025, 8:00 a.m. to 4:30 p.m.

Agenda: Executive Session; Board Business; Adjournment.

Address: National Institute of Aging, 251 Bayview Boulevard, Baltimore, MD 21224 (Virtual Meeting).

Time: May 21, 2025, 8:00 a.m. to 4:00 p.m.

Agenda: Executive Session; Board Business; Adjournment.

Meeting Format: Virtual Meeting.

Address: National Institute of Aging, 251 Bayview Boulevard, Baltimore, MD 21224.

Contact Person: Luigi Ferrucci, M.D., Ph.D., Scientific Director, National Institute of Aging, National Institutes of Health, 251 Bayview Boulevard, Suite 100, Room 4C225, Baltimore, MD 21224, 410–558–8110, email: *LF27Z@NIH.GOV*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04739 Filed 3–19–25; 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 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 Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Mentored Career Development K–Awards SEP Meeting.

Date: April 14, 2025.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Zhihong Shan, Ph.D., MD, Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 205–J, Bethesda, MD 20892, (301) 827–7085, *zhihong.shan@nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Transfusions in Preterm Neonates.

Date: April 18, 2025.

Time: 2:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kristin Goltry, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 209–B, Bethesda, MD 20892, (301) 435–0297, email: *goltrykl@mail.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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04741 Filed 3–19–25; 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; REDI–R25 Review Meeting.

Date: April 18, 2025.

Time: 12:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ivan Tadeu Rebustini, Ph.D., Scientific Review Officer, National Institute of Aging, National Institute of Health, 5601 Fishers Lane, Room 100, Rockville, MD 20852, (301) 555–1212, email: *ivan.rebustini@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04727 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Small Business: Health and Behavior.

Date: April 16, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Helen Huang, Ph.D., Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Room 2137D, Bethesda, MD 20892, (301) 496–8558, email: *helen.huang@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04736 Filed 3–19–25; 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 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 on Aging Special Emphasis Panel; Contracts Review.

Date: April 23, 2025.

Time: 9:30 a.m. to 1:30 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institute on Aging, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, M.D., Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–9374, email: *maurizio.grimaldi@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04728 Filed 3–19–25; 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 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 Minority Health and Health Disparities Special Emphasis Panel; Strengthening Research Opportunities for NIH Grants (STRONG): Structured Institutional Needs Assessment and Action Plan Development for Resource Limited Institutions (RLIs) (UC2).

Date: April 29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, NIMHD, DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Xinli Nan, Ph.D., M.D., Scientific Review Officer, Office of Extramural Research Administration, National Institute on Minority Health and Health Disparities, 6707 Democracy Boulevard, Suite 800, Bethesda, MD 20892, (301) 594–7784, *Xinli.Nan@nih.gov.*

Dated: March 14, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04669 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the HIV/AIDS Intra- and Inter-personal Determinants and Behavioral Interventions Study Section, April 24, 2025, 10:00 a.m. to April 25, 2025, 06:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on March 12, 2025, 90 FR 11835 Doc 2025–03905.

This meeting is being amended to change the Contact Person from Mark Rubert, Ph.D., to Joann Wu Shortt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–7375. The meeting is closed to the public.

Dated: March 17, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04779 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Pediatric HIV/AIDS Cohort Study (PHACS) (U19).

Date: April 15, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Chi-Tso Chiu, Ph.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health & Human Development, National Institutes of Health, 6710B Rockledge Drive, Rm. 2127B, Bethesda, MD 20817, (301) 435–7486, email: *chiuc@mail.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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04756 Filed 3–19–25; 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 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: Eunice Kennedy Shriver National Institute of Child Health and Human Development Special Emphasis Panel; Small Business: Reproduction and Genetics.

Date: April 25, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jolanta Maria Topczewska, Ph.D., Scientific Review Branch, *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Rm. 2131B, Bethesda, MD 20892, (202) 309–7153, email: *jolanta.topczewska@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 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04749 Filed 3–19–25; 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; SBIR/STTR Meeting B.

Date: April 29–30, 2025.

Time: 1:00 p.m. to 5:00 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: Rebecca Steiner Garcia, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Bethesda, MD 20892, 301–443–4525, email: *steinerr@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04777 Filed 3–19–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Immigration and Customs Enforcement

[OMB Control Number 1653–0054]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Training Plan for Science, Technology, Engineering, and Mathematics (STEM) Optional Practical Training (OPT) Students

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance.

DATES: Comments are encouraged and will be accepted until May 19, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1653–0054 in the body of the correspondence, the agency name and Docket ID ICEB–2018–0003–0001. All comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at *https://www.regulations.gov* under e-Docket ID number ICEB–2018–0003–0001.

FOR FURTHER INFORMATION CONTACT: If you have questions related to this collection, call or email Sharon Snyder, Student and Exchange Visitor Program (SEVP), 703–603–3400 or 1–800–892–4829, email: *sevp@ice.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Comments

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Training Plan for STEM OPT Students.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–983; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. The Form I–983 serves as a planning document for STEM OPT students, the SEVP-certified school, and the employer. The Training Plan for STEM OPT Students also serves as an evidentiary document for SEVP, by tracking the STEM OPT student's progress, setting forth the terms and conditions of the practical training, and documenting the obligations of the three parties that are involved—the F student, the SEVP-certified school, and the employer.

The student and the employer must each complete and sign their part of the Form I–983. The SEVP-certified school will incorporate the completed and signed Form I–983 as part of the student's school file. The SEVP-certified school will make the student's Form I–983 available to DHS upon request.

Additionally, ICE is reformatting the Form I–983 to improve the collection of school officials' contact information and students' compensation while on STEM OPT.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:*

TABLE 1—CALCULATION OF ANNUAL REPORTING BURDEN FOR TRAINING PLAN

Function	Avg. annual responses	Time per response (hours)	Avg. annual hour burden [1]
Student Burden:			
Initial Completion of Training Plan	66,565	2.17	144,446
12-month Evaluation Requirements	66,565	1.50	99,848
Subtotal			244,294
DSO Burden:			
Initial Review of Training Plan & Recordkeeping	66,565	1.33	88,531
Review of Evaluation & Recordkeeping	66,565	1.33	88,531
Subtotal			177,062
Employer Burden:			
Initial Completion of Training Plan	66,565	4.00	266,260
Evaluation Requirements	66,565	0.75	49,924
Subtotal			316,184
Total Burden Hours			737,540

(6) *An estimate of the total public burden (in hours) associated with the collection:* 737,540 annual burden hours.

Dated: March 17, 2025.

Scott Elmore,

PRA Clearance Officer.

[FR Doc. 2025–04770 Filed 3–19–25; 8:45 am]

BILLING CODE 9111–28–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5994–N–06]

Operations Notice for the Expansion of the Moving to Work Demonstration Program Technical Revisions

AGENCY: Office of Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: This notice provides technical revisions that make no material changes to the notice entitled ''Operations Notice for the Expansion of the Moving to Work Demonstration Program'' published in the **Federal Register** on August 28, 2020.

DATES: The changes described in this notice are effective March 20, 2025.

FOR FURTHER INFORMATION CONTACT: John Concannon, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW, Room 4130, Washington, DC 20410; email address: *mtw-info@hud.gov,* telephone number 202–402–6231 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION:

I. Background

The Moving to Work (MTW) demonstration program was established under Section 204 of Title II of section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Public Law 104–134 (approved April 26, 1996). The MTW demonstration was significantly expanded under the 2016 MTW expansion statute, Section 239 of Division L, Title II of the Consolidated Appropriations Act, 2016, Public Law 114–113 (approved December 18, 2015) (2016 MTW expansion). The 2016 MTW expansion authorized HUD to expand the MTW demonstration program from 39 PHAs by an additional 100 PHAs over a period of seven years.

On January 23, 2017, HUD published a notice seeking public comment in the **Federal Register** (82 FR 8056), entitled ''Operations Notice for the Expansion of the Moving to Work Demonstration Program Solicitation of Comment.'' On May 4, 2017, the notice was republished with three technical revisions and an extension of the comment period (82 FR 20912). HUD considered all relevant comments received. On October 5, 2018, HUD republished the notice (83 FR 50387) with revisions based on public comments and policy determinations and provided an additional comment

period. On August 28, 2020, HUD published the last version of the notice (85 FR 53444) after the addition of information in the ''Additional activities and waivers'' section and was effective immediately.

This notice makes technical revisions that make no material changes in Sections 5, 9 and 13 of the August 28, 2020, notice. It also makes technical revisions to Appendix I of the notice. HUD intends to provide guidance on these changes through supplemental PIH notice.

II. Technical Revisions to Operations Notice for the Expansion of the Moving to Work Program

A. Changes to Section 5—MTW Funding Flexibility and Financial Reporting

(1) Section 5.a., paragraph 4, sentence 3 reads:

This additional flexibility will expire at the end of Federal fiscal year 2020 (on September 30, 2020) unless Congress includes it again in subsequent appropriations acts.

The sentence is revised to read as follows to clarify the incorporation of appropriations acts beyond 2020:

This additional flexibility will expire at the end of each Federal fiscal year unless Congress includes it again in subsequent appropriations acts.

(2) Footnote 22 is added to refer the reader to the Voucher Management System (VMS) User Manual on the need to create a specific field for the reporting of Admin Fee reserves for Housing Assistance Payments (HAP) purposes. The footnote reads:

For more information about VMS Reporting, please see the VMS User Manual at: *https://www.hud.gov/sites//dfiles/PIH/documents/INSTRUCTIONS.pdf.*

(3) The second sentence of Section 5.b.III.c.*v.* reads:

If the MTW agency is using administrative fee reserves for HAP expenses, the MTW agency must enter the amount of the administrative fee reserves used for HAP expenses in the comments section in VMS.

The sentence is revised to read as follows to provide more specific guidance on VMS reporting:

MTW PHAs must report the use of HCV Unrestricted Net Position (UNP) for HAP and the use of HCV UNP for non-HAP expenses in the Expense 1–5 fields in VMS.

(4) Additional clarification is needed on the impact of outside uses of funds. A sentence and a footnote are added to enhance this clarification. The additional sentence added to the end of Section 5.b.III.c.*v.* reads:

Expansion MTW PHAs may not bring in outside sources of funds to cover administrative costs in order to increase their HCV Administrative Fee Reserves and then use those increased HCV Administrative Fee Reserves to cover HAP costs.

Footnote 23 is added to reference the applicable PIH notice and reads:

Please see PIH Notice 2013–28 for more guidance on the use of outside funding sources for Expansion MTW PHAs.

(5) Additional clarification is needed on the HAP renewal eligibility cap. In order to ensure that the amount of funding an MTW agency is eligible for is not diminished by its participation in the MTW demonstration program, actual HAP expenses higher than the HAP renewal eligibility cap will be included in the renewal calculation and reflected in the MTW agency's annual funding allocation. An additional sentence has been added to enhance this clarification at the end of Section 5.b.III.d.*ii* that reads:

If HAP expenses alone exceed the HAP Renewal Eligibility Cap, any HAP expenses over the cap will also be included in the MTW agency's renewal eligibility.

(6) Additional clarification is needed on the HAP renewal eligibility cap example. The final sentence at the end of Section 5.b.III.d.*iii* reads:

If the total combined HAP and non-HAP MTW expenses exceed $6,854,400, the MTW agency's CY 2021 renewal funding will be $6,854,400 adjusted by the RFIF and any national proration.

The sentence is revised to read as follows to provide clarification in the example:

If the total combined HAP and non-HAP MTW expenses exceed $6,854,400, the MTW agency's CY 2021 renewal funding will be $6,854,400 plus an adjustment for HAP expenses if HAP expenses alone exceeded $6,854,400 adjusted by the RFIF and any national proration.

(7) The Emergency Housing Vouchers (EHV) and Stability Vouchers (SV) categories, programs that originated after the current publication of the notice in 2020, must be added to the list of voucher types that are not included in the MTW program. The first sentence of Section 5.b.III.l reads:

Vouchers and funding provided for the following special purpose vouchers, or any new special purpose vouchers provided in future appropriations acts, whether for new allocations or renewal of existing increments, shall not be included in the HCV MTW renewal calculation: HUD–VASH, FUP, FYI, NED, and Mainstream.

This sentence is revised to read as follows to add the EHV and SV categories:

Vouchers and funding provided for special purpose vouchers, including any new special purpose vouchers provided in future appropriations acts, whether for new allocations or renewal of existing increments, shall not be included in the HCV MTW renewal calculation: HUD–VASH, FUP, FYI, NED, Mainstream, Emergency Housing Vouchers (EHV), and Stability Vouchers (SV).

B. Changes to Section 9—Applying MTW Flexibilities to Special Purpose Vouchers

(1) Additional language is added to further clarify that MTW flexibilities may be applied to Special Purpose Vouchers (SPVs). A sentence and a footnote are added to enhance this clarification. The additional sentence added to the end of the second paragraph in the introduction to Section 9 reads:

Approved MTW flexibilities may be applied towards SPVs according to HUD's current guidance.

Footnote 37 is added to reference the applicable PIH notice:

This process is explained further in the SPV FAQ available at: *https://www.hud.gov/program_offices/public_indian_housing/programs/ph/mtw/policyguidance.*

C. Changes to Section 13—Administrative and Contact Information

(1) The contact information in Section 13.b is revised to reflect John Concannon, the current MTW Director.

D. Changes to Appendix I—MTW Waivers

(1) Waiver and associated activity 1.g on Tenant Payment as a Modified Percentage of Income should include a citation to 24 CFR 5.628. This citation is added to the ''Statutes and Regulations Waived'' section.

(2) Waiver and associated activities 1.t and 1.u on Standard Deductions erroneously includes language on a single deduction. The word ''single'' is removed from the ''Activity'' section of both 1.t and 1.u.

(3) Additional language and a citation are added to clarify waiver and associated activity 2.d on Rent Reasonableness—Third Party Requirement.

The ''Activity'' section of 2.d reads:

The agency is authorized to perform rent reasonable determinations on PBV units that it owns, manages, and/or controls.

This ''Activity'' section of 2.d is revised to include the step of

negotiating rent to owners and to incorporate units beyond only PBVs. It is revised to read as follows:

The agency is authorized to perform rent reasonable determinations and to assist the family in negotiating the rent to owner on units that it owns, manages, and/or controls.

Waiver and associated activity 2.d on Rent Reasonableness—Third Party Requirement should include a citation to section 8(o)(11) of the 1937 Act and 24 CFR 982.506. These citations are added to the ''Statutes and Regulations Waived'' section.

(4) Language is deleted to clarify waiver and associated activity 5.c on Third Party Requirement. The ''Activity'' section of 5.c reads:

The agency is authorized to perform HQS inspections on PBV units that it owns, manages, and/or controls.

This ''Activity'' section of 5.c is revised to incorporate units beyond only PBVs. It is revised to read as follows:

The agency is authorized to perform HQS inspections on units that it owns, manages, and/or controls.

(5) The implementation of waiver and associated activity 5.c on Third Party Requirement inadvertently conflicts with safe harbors under waiver and associated activity 9.c on Elimination of Project Based Voucher (PBV) Selection Process for PHA-owned Projects without Improvement, Development, or Replacement and under waiver and associated activity 9.d on Alternative PBV Selection Process. Language is added to both applicable safe harbors to resolve this conflict.

In waiver and associated activity 9.c on Elimination of PBV Selection Process for PHA-owned Projects without Improvement, Development, or Replacement, Safe Harbor 9.c.iii reads:

HQS inspections must be performed by an independent entity according to 24 CFR 983.59(b) or 24 CFR 983.103(f).*

Safe Harbor 9.c.iii is revised to read as follows to resolve this conflict:

HQS inspections must be performed by an independent entity according to 24 CFR 983.59(b) or 24 CFR 983.103(f), unless MTW waiver 5.c or an Agency-Specific Waiver is implemented.*

In waiver and associated activity 9.d on Alternative PBV Selection Process, Safe Harbor 9.d.i reads:

If the selected project is PHA-owned, HQS inspections must be performed by an independent entity according to 24 CFR 983.59(b) or 24 CFR 983.103(f).*

Safe Harbor 9.d.i is revised to read as follows to resolve this conflict:

If the selected project is PHA-owned, HQS inspections must be performed by an independent entity according to 24 CFR 983.59(b) or 24 CFR 983.103(f), unless MTW waiver 5.c or an Agency-Specific Waiver is implemented.*

(6) The term ''portability'' as used in waiver and associated activity 9.h on Limit Portability for PBV Units does not accurately title this waiver and associated activity, as it addresses mobility from PBV and not necessarily portability to another jurisdiction. In the Appendix I Table of Contents and throughout the discussion of the waiver and associated activity, the title is amended from ''Limit Portability for PBV Units'' to ''Limit Choice Mobility'' for PBV Units.

(7) The development of project-base voucher units was incorrectly included as an example of how to use waiver and associated activity 17.c on Housing Development Program. The ''Activity'' section of 17.c reads:

Programs that use MTW Funding to acquire, renovate and/or build affordable units for low-income families that are not public housing units. Eligible activities may include: gap financing for non-PHA development of affordable housing, development of project-based voucher units or tax credit partnerships.

The ''Activity'' section of 17.c is revised to address this and will read as follows:

Programs that use MTW Funding to acquire, renovate and/or build affordable units for low-income families that are not public housing units. Eligible activities may include: gap financing for non-PHA development of affordable housing or tax credit partnerships.

Benjamin Hobbs,

Principal Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 2025–04704 Filed 3–19–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–MB–2025–N005; FXMB1231092MFR0–256–FF09M28100; OMB Control Number 1018–0185]

Agency Information Collection Activities; Submission to the Office of Management and Budget; Online Eastern Population Sandhill Crane Survey Data Entry Portal

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection without change.

DATES: Interested persons are invited to submit comments on or before April 21, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of publication of this notice at *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or by email to *Info_Coll@fws.gov.* Please reference ''1018–0185'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Madonna L. Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) 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: In accordance with the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

On July 5, 2024, we published in the **Federal Register** (89 FR 55649) a notice of our intent to request that the Office of Management and Budget (OMB) approve this information collection. In that notice, we solicited comments for 60 days, ending on September 3, 2024. In an effort to increase public awareness of, and participation in, our public commenting processes associated with information collection requests, the Service also published the **Federal**

Register notice on *Regulations.gov* (Docket No. FWS–HQ–MB–2024–0092). We received three comments in response to that notice; however, none addressed the information collection requirements. No response to those comments is required.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed information collection request that is described below. We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. 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 can 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.

Abstract: The Migratory Bird Treaty Act (16 U.S.C. 703–712) designates the Department of the Interior as the primary agency responsible for managing migratory bird populations frequenting the United States and setting hunting regulations that allow for the well-being of migratory bird populations. These responsibilities dictate that we gather accurate data on various characteristics of migratory bird populations.

The Service's fall survey for the eastern population of the sandhill crane was established in 1979. It is implemented by State and Federal agencies and public volunteers from eight States in the Atlantic and Mississippi Flyways, as well as Ontario, Canada. Sandhill cranes are widely dispersed during the breeding and wintering seasons and are difficult to count. The optimal time to survey cranes is during the last week of October, when the majority of eastern population cranes breeding in Canada migrate to traditional staging grounds in the Great Lakes States (*e.g.,* the Jasper-Pulaski Fish and Wildlife Area, in Medaryville, Indiana). Since the initial survey in 1979, crane numbers have increased to over 90,000 birds.

The information collected through this survey is vital in assessing the relative changes in the geographic distribution of the species. We use the information primarily to inform managers of changes in sandhill crane distribution and population trends. Without information on the population's status, we might promulgate hunting regulations that:

- Are not sufficiently restrictive, which could cause harm to the sandhill crane population, or
- Are too restrictive, which would unduly restrict recreational opportunities afforded by sandhill crane hunting.

Notifications for the survey are sent to volunteers, and data results are entered into the data portal (*https://www.fws.gov/epsandhill/*) in order to calculate numbers of sandhill cranes. This survey is conducted via an online survey platform to reduce cost, improve data quality, and decrease respondent burden. This survey has no statistical design. We collect the following information in conjunction with the account setup process and survey data submission:

- Account setup process:

—Email address,
—Username,
—Photo (optional),
—Option for other users to contact the registrant,
—Time zone,
—First and last name,
—Phone number, and
—Start date.

- Survey data submission:

—Data submission location via online map,
—Date and time of observation,
—Number of cranes,
—Method (ground count or point count),
—Habitat (agricultural field, sandbar, wetland, or mixed-wetland agricultural field), and
—Any additional notes the user would like to submit.

Title of Collection: Online Eastern Population Sandhill Crane Survey Data Entry Portal.

OMB Control Number: 1018–0185.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals and State agencies.

Total Estimated Number of Annual Respondents: 112.

Total Estimated Number of Annual Responses: 157.

Estimated Completion Time per Response: Varies from 3 minutes to 5 minutes, depending on activity.

Total Estimated Number of Annual Burden Hours: 11.

Respondent's Obligation: Voluntary.

Frequency of Collection: One time for the initial registration, and on occasion for survey submission.

Total Estimated Annual Nonhour Burden Cost: None.

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.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2025–04798 Filed 3–19–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[256A2100DD/AAKC001030/A0A501010.999900253G]

Indian Gaming; Approval by Operation of Law Tribal-State Class III Gaming Compact Amendment Between the Chitimacha Tribe of Louisiana and the State of Louisiana

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice announces the approval by operation of law of an amendment to the Tribal-State compact for the conduct of class III gaming between the Chitimacha Tribe of Louisiana and the State of Louisiana governing the operation and regulation of class III gaming activities. The amendment extends the term of the compact for 7 years after the amendment goes into effect and increases the dollar amount threshold for Tribal licensing and State certification of vendors providing goods

and services to the Tribe's gaming facilities.

DATES: The amendment takes effect on March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Ms. Paula L. Hart, Director, Office of Indian Gaming, Office of the Assistant Secretary—Indian Affairs, Washington, DC 20240, *IndianGaming@bia.gov;* (202) 219–4066.

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act of 1988, 25 U.S.C. 2701 *et seq.,* (IGRA) provides the Secretary of the Interior (Secretary) with 45 days to review and approve or disapprove the Tribal-State compact governing the conduct of class III gaming activity on the Tribe's Indian lands. *See* 25 U.S.C. 2710(d)(8). If the Secretary does not approve or disapprove a Tribal-State compact within the 45 days, IGRA provides the Tribal-State compact is considered to have been approved by the Secretary, but only to the extent the compact is consistent with IGRA. *See* 25 U.S.C. 2710(d)(8)(D). The IGRA also requires the Secretary to publish a notice in the **Federal Register** of the approved Tribal-State compacts for the purpose of engaging in class III gaming activities on Indian lands. *See* 25 U.S.C. 2710(d)(8)(D). The Department's regulations at 25 CFR 293.4 require all compacts and amendments to be reviewed and approved by the Secretary prior to taking effect.

The Secretary took no action on the amendment to the Tribal-State compact for the conduct of class III gaming between the Chitimacha Tribe of Louisiana and the State of Louisiana within the 45-day statutory review period. Therefore, the amendment is considered to have been approved, but only to the extent it is consistent with IGRA. *See* 25 U.S.C. 2710(d)(8)(C).

Bryan Mercier,

Director, Bureau of Indian Affairs, Exercising by Delegation the Authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–04735 Filed 3–19–25; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–39729; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before March 8, 2025, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by April 4, 2025.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line ''Public Comment on <property or proposed district name, (County) State>.'' If you have no access to email, you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 2013, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 2013, Washington, DC 20240, *sherry_frear@nps.gov,* 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before March 8, 2025. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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 can 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.

Nominations submitted by State or Tribal Historic Preservation Officers:

Key: State, County, Property Name, Multiple Name (if applicable), Address/Boundary, City, Vicinity, Reference Number.

ILLINOIS

Cook County

Our Lady of Lourdes Parish, 4208 West 15th Street, Chicago, SG100011690

Eli and Jeanne Lipman House, 2633 Kenilworth Avenue, Wilmette, SG100011691

Marshall Field and Company Store (Boundary Increase), 1136–1150 Lake Street, Oak Park, BC100011693

Du Page County

Theosophical Society in America Headquarters, 1926 North Main Street, Wheaton, SG100011694

KANSAS

Nemaha County

Waggoner, John, House, 2441 204th Road, Sabetha, SG100011682

Russell County

Pospishil Building (Post Rock Limestone Properties in Kansas, 1870–1948 MPS), 101–103 Main Street, Luray, MP100011683

Saline County

Paul Laurence Dunbar School (Public Schools of Kansas MPS), 509 East Elm Street, Salina, MP100011703

Sedgwick County

Price Elementary School (Public Schools of Kansas MPS), 6123 E 11th Street North, Wichita, MP100011705

KENTUCKY

Grant County

Independent Order of Odd Fellows Hall, 113 N Main Street, Williamstown, SG100011687

Hart County

Bonnieville Elementary School (Historic Public Schools of Kentucky MPS), 7874 North Dixie Highway, Bonnieville, MP100011664

Cub Run Elementary School (Historic Public Schools of Kentucky MPS), 170 E Gap Hill Rd., Cub Run, MP100011665

Hopkins County

Dawson Springs Historic District (Boundary Increase II) (Hopkins County MPS), Generally bounded on the north by Keigan St., on the south by Water St. and Arcadia Avenue, the east by Hunter St., and west by Sycamore St., Dawson Springs, BC100011668

Jefferson County

Keisker Building, 315 Muhammad Ali Blvd., Louisville, SG100011677

Shawnee Neighborhood Historic District, Bounded by the Ohio River to the north and west, I–264 to the East, and Broadway to the south, Louisville, SG100011688

Kenton County

Overman & Schrader Cordage Company, 1564 Banklick Street, Covington, SG100011678

Letcher County

Dunham High School, #4 Hollow off Hwy. 805, Jenkins, SG100011679

Madison County

Newby Country Store, 435 Newby Road, Richmond, SG100011680

Pulaski County

Eubank Elementary School (Historic Public Schools of Kentucky MPS), 285 West Kentucky Highway 70, Eubank, MP100011666

Nancy Elementary School (Historic Public Schools of Kentucky MPS), 240 Kentucky Highway 196, Nancy, MP100011667

Shopville Elementary School (Historic Public Schools of Kentucky MPS), 10 Shopville Road, Somerset, MP100011689

LOUISIANA

Washington Parish, Jones Creek Rosenwald School (Rosenwald Schools in Louisiana, 1917–1932MPS), 64333 Parish Road 420, Varmado, MP100010511

NORTH CAROLINA

Burke County

Pineburr Hosiery Mill, 408 Pineburr Avenue SE, Valdese, SG100011657

Chatham County

Bynum Historic District, Bynum Church Road, Bynum Hill, Bynum Road, Charlie Fields Road, Durham Eubanks Road, Roy Hatley Road, Wheeler Road, Williams Pond Road, Pittsboro vicinity, SG100011658

Dare County

Herbert and Ann Creef House, 301 Budleigh Street, Manteo, SG100011674

Edgecombe County

F.D. Wharton House, 521 East Saint James Street, Tarboro, SG100011659

Nash County

Sunset Avenue Public Works Historic District, 1590, 1609, 1619, 1660, and 1701 Sunset Avenue, Rocky Mount, SG100011660

Rowan County

Ramsay, Sr., John E. and Jean Anne Ferrier, House, 16 Pine Tree Road, Salisbury, SG100011661

Stanly County

Gladstone Academy, 48210 Wesley Chapel Road, Misenheimer, SG100011662

PENNSYLVANIA

Allegheny County

Mount Saint Mary Convent and Saint Benedict Academy Historic District, 4530 Perrysville Avenue, Pittsburgh, SG100011704

Lackawanna County

St. Luke's Episcopal Church & Throop Memorial Parish House, 232 Wyoming Avenue, Scranton, SG100011675

Philadelphia County

Hahnemann Medical College & Hospital Complex Historic District, 225–231 N 15th Street, 216–248 N Broad Street, Philadelphia, SG100011684

Interstate Storage Warehouse, 3935–61 Germantown Avenue, Philadelphia, SG100011702

RHODE ISLAND

Providence County

Minkins, John Carter, House, 345 Glenwood Avenue, Pawtucket, SG100011656

VIRGINIA

Middlesex County

St. Clare Walker School, 2911 General Puller Highway (SR 33), Saluda vicinity, SG100011697

Norfolk INDEPENDENT CITY

Berkley North Historic District (Boundary Decrease), Bellamy Avenue, Hough Avenue, E Indian River Road, Hardy Avenue, Poplar Avenue, Patrick Street, State Street, S Main Street, Dinwiddie Street, Stafford Street, Fauquier Street, Norfolk (Independent City), BC100011698

Powhatan County

Belmead (Boundary Increase), 5004 Cartersville Road, Powhatan vicinity, BC100011700

An additional documentation has been received for the following resource(s):

ILLINOIS

Cook County

Marshall Field and Company Store (Additional Documentation), 1136–1150 W Lake Street, Oak Park, AD87002510

KENTUCKY

Franklin County

Julian Farm (Additional Documentation), 1915 Louisville Road, Bridgeport vicinity, AD88000670

Hopkins County

Dawson Springs Historic District (Additional Documentation), (Hopkins County MPS), 100 blk. S Main St., Dawson Springs, AD88002710

Jefferson County

Hope Worsted Mills (Additional Documentation), (Textile Mills of Louisville TR), 942 E Kentucky St., Louisville, AD95001543

VIRGINIA

Norfolk INDEPENDENT CITY

Berkley North Historic District (Additional Documentation), Bellamy Avenue, Hough Avenue, E Indian River Road, Hardy Avenue, Poplar Avenue, Patrick Street, State Street, S Main Street, Dinwiddie Street, Stafford Street, Fauquier Street, Norfolk (Independent City), AD00001440

Powhatan County

Belmead (Additional Documentation), 5004 Cartersville Road, Powhatan vicinity, AD69000270

WASHINGTON

Spokane County

Fort George Wright Historic District-Fort George Wright Cemetery (Additional Documentation), North Government Way & N Houston Rd., along the Centennial Trail, Spokane vicinity, AD76001918

Nomination(s) submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nomination(s) and responded to the Federal Preservation Officer within 45 days of receipt of the nomination(s) and supports listing the properties in the National Register of Historic Places.

OREGON

Polk County

Salem Substation, Bonneville Power Administration, (Bonneville Power Administration Pacific Northwest Transmission System MPS), 3105 Dallas Highway (OR 22), Salem, MP100011672

(Authority: 36 CFR 60.13)

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2025–04747 Filed 3–19–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 245S180110; S2D2S SS08011000 SX064A000 24XS501520]

Request for Determination of Valid Existing Rights Within the Monongahela National Forest, West Virginia

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice and request for comment.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are providing an opportunity for the public to comment on a request for a determination of valid existing rights (VER) to use an existing United States Forest Service (USFS) road as a coal mine access and haul road across Federal lands within the boundaries of the Monongahela National Forest (MNF). The mine is located on privately owned land.

DATES: We will accept written comments on this amendment until 4 p.m., eastern time, April 21, 2025.

ADDRESSES: You may submit comments, by any of the following methods:

- *Mail/Hand Delivery:* Mr. Justin Adams, Director, Charleston Field Office, Office of Surface Mining Reclamation and Enforcement, 1027 Virginia Street East, Charleston, West Virginia 25301.
- *Fax:* (304) 347–7170.
- *Email: jadams@osmre.gov.*

Instructions: For detailed instructions on submitting comments and additional information, see section V, ''How Do I Submit Comments on the Request?'', in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Mr. Justin Adams, Director, Charleston Field Office, Telephone: (304) 347–7158. Email: *osm-chfo@osmre.gov.*

SUPPLEMENTARY INFORMATION:

I. What is the nature of the VER determination request?
II. What legal requirements apply to this request?
III. What information is available relevant to the basis for the request?
IV. How will we process the request?
V. How do I submit comments on the request?

I. What is the nature of the VER determination request?

On September 18, 2024, Babst/Calland Attorneys at Law (Babst/Calland) submitted a request, on behalf of South Fork Coal Company, LLC (SFCC), to OSMRE for a determination whether SFCC has valid existing rights to receive and hold a mining permit for the northern 1.2-mile portion of an existing road located within the MNF, known as Forest Service Road 249. Babst/Calland asserts that SFCC has VER under paragraph (c)(1) or (c)(2) of the ''[v]alid existing rights'' definition in 30 CFR 761.5 (the Federal definition) to use the existing road as an access and haul road for its Rocky Run Surface Coal Mine.

II. What legal requirements apply to this request?

Section 522(e)(2) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) prohibits surface coal mining operations on Federal lands within the boundaries of any national forest, with two exceptions. 30 U.S.C. 1272. The first exception pertains to surface operations and impacts incidental to an underground coal mine. The second relates to surface operations on lands within national forests west of the 100th Meridian. Neither of those exceptions applies to the request now under consideration.

The introductory paragraph of section 522(e) also provides two general exceptions to the prohibitions on surface coal mining operations in that section. Those exceptions apply to operations in existence on the date of SMCRA enactment, which occurred on August 3, 1977, and to land for which a person has VER. Because SMCRA does not define VER, we subsequently adopted regulations defining VER. *See* 30 CFR 761.5. We clarified that, for lands that come under the protection of section 522(e) and the implementing Federal regulations after the date of SMCRA enactment, the applicable date is the date that the lands came under protection, not August 3, 1977.

On December 17, 1999 (64 FR 70766–70838), we adopted a revised definition of VER, established a process for submission and review of requests for VER determinations, and otherwise modified the regulations implementing section 522(e). At 30 CFR 761.16(a), we published a table clarifying which agency (OSMRE or the State regulatory authority) is responsible for making VER determinations and which definition (State or Federal) will apply. That table specifies that OSMRE is responsible for VER determinations for Federal lands within national forests and that the Federal VER definition applies to those determinations.

Paragraph (c) of the Federal definition of VER contains the standards applicable to VER for roads that lie within the definition of surface coal mining operations. 30 CFR 761.5. SFCC is seeking a VER determination under paragraph (c)(1) or, in the alternative, paragraph (c)(2). Paragraph (c)(1) provides that a person who claims VER to use or construct a road across the surface of lands that are protected by section 522(e) of SMCRA or by the implementing Federal regulations must demonstrate that the ''road existed when the land upon which it is located came under the protection of 30 CFR 761.11 or 30 U.S.C. 1272(e), and the person has a legal right to use the road for surface coal mining operations.'' *Id.* Paragraph (c)(2) allows the applicant to demonstrate that a properly recorded right of way or easement existed when the land came under such protection and, under the document creating the right of way or easement and subsequent conveyances, the applicant has a legal right to use a road across the right of way or easement for surface coal mining operations.

III. What information is available relevant to the basis for the request?

The following information has been submitted by Babst/Calland or obtained from the USFS or the West Virginia Department of Environmental Protection (WVDEP):

1. The 1.2-mile segment of road designated as Forest Service Road 249 exists on land to which the VER determination pertains.

2. Ownership of the surface property rights to the Forest Service Road 249 (and the surrounding area) was conveyed by Cherry River Boom and Lumber Company to the United States Government by deed dated October 9, 1934, which is recorded in the office of the Clerk of Pocahontas County, West Virginia, in deed book 70, page 332.8.

3. A chain of conveyance from 1959 through 2016 purportedly exists between Cherry River Boom and Lumber Company, through several corporate entities, to Weyerhaeuser Company.

4. SFCC has a mineral lease with Highland Mineral Resources, LLC, a purported affiliate of Weyerhaeuser Company, and a separate mineral lease with WPP, LLC.

5. The land upon which Forest Service Road 249 is located was in Federal ownership as part of the MNF when the land came under the protection of 30 U.S.C. 1272(e) on August 3, 1977, the date of SMCRA enactment.

6. The Forest Service Road 249 is visible and shown on the United States Geological Survey map from 1972, in the lower left-hand portion (beginning near the words, ''Sugar Tree Mt.'').

7. USFS issued SFCC a special use permit for use of Forest Service Road 249, through Permit No. FS–7700–41, as a coal access and haul road on September 29, 2021.

IV. How will we process the request?

We received the VER request on September 18, 2024, and determined it was administratively complete on September 24, 2024. That determination did not include an assessment of the technical or legal adequacy of the materials submitted with the request.

We will further process this request in accordance with 30 CFR 761.16(d) and (e). As required by 30 CFR 761.16(d)(1), we are publishing this notice to seek public comment on the merits of the request. A similar notice will also be published in a newspaper of general circulation in Pocahontas County, WV.

After the close of the comment period, we will review the materials submitted with the request, all comments received in response to this and other notices, and any other relevant, reasonably available information to determine whether the record is sufficiently complete and adequate to support a decision on the merits of the request. If not, we will notify the requester, in writing, explaining the inadequacy of the record and will request submittal, within a specified time, of any material needed to remedy the deficiency.

Once the record is complete and adequate, we will determine whether the requester has demonstrated VER for the proposed access and haul road. Our decision document will contain findings of fact and conclusions, along with an explanation of the reasons for our conclusions. We will publish a notice of the decision in the **Federal Register** and a newspaper of general circulation in Pocahontas County, WV.

However, as provided in 30 CFR 761.16(d)(1)(iv), we will not make a decision on the merits of the request, if, by the close of the comment period under this notice or the notice required by 30 CFR 761.16(d)(3), a person with a legal interest in the land to which the

request pertains initiates appropriate legal action in the proper venue to resolve any differences concerning the validity or interpretation of the deed, lease, easement, or other documents that form the basis of the request. This provision applies only if our decision is based on the standard in paragraph (c)(1) and (c)(2) of the VER definition in 30 CFR 761.5.

V. How do I submit comments on the request?

We will make the VER determination request and associated materials available to you for review as prescribed in 30 CFR 842.16, except to the extent that the confidentiality provisions of 30 CFR 773.6(d) apply. Subject to those restrictions, you may review a copy of the VER determination request and all comments received in response to this request at the Charleston Field Office (see **ADDRESSES**). Documents contained in the administrative record are available for public review at the Field Office during normal business hours, Monday through Friday, excluding holidays.

Electronic or Written Comments

If you wish to comment on the merits of the request for a VER determination, please send electronic or written comments to us at the addresses above (see **ADDRESSES**) by the close of the comment period (see **DATES**). Under 30 CFR 761.16(d)(1)(vii), you may request a 30-day extension of the comment period. Requests for an extension of the public comment period must be submitted to the same addresses by the date indicated.

If you submit comments by Email, please include your name and return address in your message. You may contact the Charleston Field Office at 304–977–7450 if you wish to confirm receipt of your message.

Availability of Comments

We will make all comments, including names and addresses of respondents, available for public review during normal business hours at the location listed in **ADDRESSES**. We will not consider anonymous comments. If you are commenting as an individual, you may request that we withhold your name or address from public review, except for the city or town. We will honor your request to the extent allowable by law. You must state this request prominently at the beginning of your comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public review in their entirety.

Thomas D. Shope,

Regional Director, North Atlantic—Appalachian Region.

[FR Doc. 2025–04652 Filed 3–19–25; 8:45 am]

BILLING CODE 4310–05–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–455 and 731 TA 1149 (Third Review)]

Circular Welded Carbon Quality Steel Line Pipe From China

Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the antidumping and countervailing duty orders on circular welded carbon quality steel line pipe from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on September 3, 2024, (89 FR 71419) and determined on December 9, 2024, that it would conduct expedited reviews (90 FR 8301, January 28, 2025).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on March 14, 2025. The views of the Commission are contained in USITC Publication 5598 (March 2025), entitled *Circular Welded Carbon Quality Steel Line Pipe from China: Investigation Nos. 701–TA–455 and 731–TA–1149 (Third Review).*

By order of the Commission.

Issued: March 14, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–04663 Filed 3–19–25; 8:45 am]

BILLING CODE 7020–02–P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal advisory committee meeting.

SUMMARY: The Joint Board for the Enrollment of Actuaries gives notice of a closed teleconference meeting of the Advisory Committee on Actuarial Examinations.

DATES: The meeting will be held on April 25, 2025, from 10 a.m. to 5 p.m. eastern daylight time (EDT).

FOR FURTHER INFORMATION CONTACT: Elizabeth Van Osten, Designated Federal Officer, Advisory Committee on Actuarial Examinations, at (202) 317–3648 or *elizabeth.j.vanosten@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will hold a teleconference meeting on April 25, 2025, from 10 a.m. to 5 p.m. (EDT). The meeting will be closed to the public.

The purpose of the meeting is to discuss topics and questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics, pension law and methodology referred to in 29 U.S.C. 1242(a)(1)(B).

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. 1009(d), that the subject of the meeting falls within the exception to the open meeting requirement set forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such meeting be closed to public participation.

Dated: March 17, 2025.

Thomas V. Curtin, Jr.,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2025–04709 Filed 3–19–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Linwood A. Starks, D.V.M.; Decision and Order

On June 29, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Linwood A. Starks, D.V.M., of Grand Prairie, Texas (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. FS5936919, alleging that Registrant's registration should be revoked because Registrant is ''currently without authority to handle controlled substances in the State of Texas, the

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

state in which [he is] registered with DEA.'' *Id.* at 1–2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant that if he requested a hearing but failed to timely file an answer, plead, or otherwise defend, he would be deemed to have waived his right to a hearing and be in default. *Id.* On October 11, 2023, Registrant filed a request for a hearing, however, the request for hearing did not contain any answers to the OSC. RFAA, at 2; RFAAX 4, at 1–2. Registrant was given an extended deadline to file answers to the OSC, but failed to do so, and on October 23, 2023, the Chief Administrative Law Judge terminated the proceedings and found Registrant to be in default. RFAA, at 2–3; RFAAX 5, at 2.

''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e). Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.'' *Id.* section 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 4; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted. According to the OSC, effective January 6, 2023, the Executive Disciplinary Committee of the Texas Board of Veterinary Medical Examiners (TBVME) issued an Order of Temporary Suspension barring Registrant from the practice of veterinary medicine in Texas. RFAAX 2, at 1–2. According to Texas online records, of which the Agency takes official notice, Registrant's Texas veterinary license remains suspended.[1] Texas Board of Veterinary Medical Examiners Licensee Lookup, *https://apps.veterinary.texas.gov/s/licenseelookup* (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice as a veterinarian in Texas, the state in which he is registered with DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371, 71,372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).[2]

According to Texas statute, ''dispense'' means ''the delivery of a controlled substance in the course of professional practice or research, by a practitioner or person acting under the lawful order of a practitioner, to an ultimate user or research subject. The term includes the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for delivery.'' Tex. Health & Safety Code Ann. section 481.002(12) (2024). Further, a ''practitioner'' includes ''a physician, dentist, veterinarian . . . or other person licensed, registered, or otherwise permitted to distribute, dispense, analyze, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in this state.'' *Id.* section 481.002(39)(A).

Here, the undisputed evidence in the record is that Registrant lacks authority to practice as a veterinarian in Texas. As discussed above, an individual must be a licensed practitioner to dispense a controlled substance in Texas. Thus, because Registrant lacks authority to practice as a veterinarian in Texas and, therefore, is not authorized to handle controlled substances in Texas, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FS5936919, issued to Linwood A. Starks, D.V.M. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Linwood A. Starks, D.V.M., to renew or modify this registration, as well as any other pending application of Linwood A. Starks, D.V.M., for additional registration in Texas. This Order is effective April 21, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed

[1] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

[2] This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR 27617.

on March 13, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–04746 Filed 3–19–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Rachel Jackson, P.A.; Decision and Order

On October 1, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Rachel Jackson, P.A., of Sabattus, Maine (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 4, at 1, 4. The OSC proposed the revocation of Registrant's Certificate of Registration No. MG5136723, alleging that Registrant's registration should be revoked because Registrant is ''currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Maine, the state in which [she is] registered with DEA.'' *Id.* at 1–2 (citing 21 U.S.C. 824(a)(3)).[1]

The OSC notified Registrant of her right to file a written request for hearing, and that if she failed to file such a request, she would be deemed to have waived her right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 3.[2] ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* section 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted. According to the OSC, on June 9, 2023, Registrant requested that the Maine Board of Licensure in Medicine permit her to voluntarily surrender her Maine physician assistant license. RFAAX 4, at 2. Effective July 11, 2023, the Maine Board of Licensure in Medicine granted Registrant's request. *Id.* According to Maine online records, of which the Agency takes official notice, Registrant's Maine physician assistant license is inactive and listed under a status of ''Voluntary Surrender.'' [3] Government of Maine Regulatory Licensing & Permitting Search, *https://www.pfr.maine.gov/ALMSOnline/ALMSQuery/Welcome.aspx* (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice as a physician assistant in Maine, the state in which she is registered with DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371, 71372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).[4]

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[1] According to Agency records, Registrant's registration expired on December 31, 2024. The fact that a registrant allows her registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–79 (2019).

[2] Based on the Government's submissions in its RFAA dated August 20, 2024, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the Declaration from a DEA Diversion Investigator (DI) indicates that on November 8, 2023, Registrant was successfully served a copy of the OSC via email to an email address associated with Registrant. RFAAX 1, at 2; *Mohammed S. Aljanaby, M.D.,* 82 FR 34552, 34552 (2017) (finding that service by email satisfies due process where the email is not returned as undeliverable and other methods have been unsuccessful). As noted in the DI's Declaration, on October 5, 2023, the DI and other DEA officials attempted in-person service of the OSC to an address associated with Registrant, but the service was unsuccessful. RFAAX 1, at 1–2. On October 10, 2023, the DI provided her contact information to Registrant via email to Registrant's aforementioned email address. *Id.* at 2. On October 12, 2023, the DI called all five phone numbers listed in the information database for Registrant, as well as Registrant's spouse. *Id.* Regarding the phone numbers that were still in service, the DI was unable to reach Registrant and left a voicemail for Registrant with her contact information. *Id.* Finally, on November 9, 2023, the DI mailed copies of the OSC via certified and first-class mail to two different addresses associated with Registrant. *Id.* On November 20, 2023, the DI received confirmation of receipt of the certified mail, and upon search of the USPS mail tracking system, the DI confirmed that Registrant received and signed for the certified mail for both addresses. *Id.;* RFAAX 3. In sum, the Agency finds that Registrant was successfully served the OSC by email and the DI's efforts to serve Registrant by other means were '' 'reasonably calculated, under all the circumstances, to apprise [Registrant] of the pendency of the action.' '' *Jones* v. *Flowers,* 547 U.S. 220, 226 (2006) (quoting *Mullane* v. *Central Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950)). Therefore, due process notice requirements have been satisfied.

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

[4] This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's

According to Maine statute, ''Unless licensed by the [Board of Licensure in Medicine], an individual may not practice medicine or surgery or a branch of medicine or surgery . . . within the State by diagnosing, relieving in any degree or curing . . . a human disease, ailment, defect or complaint, whether physical or mental . . . by attendance or by advice, or by prescribing or furnishing a drug, medicine, appliance, manipulation, method or a therapeutic agent whatsoever or in any other manner unless otherwise provided by statutes of this State.'' Me. Rev. Stat. tit. 32, section 3270 (2024). Further, Maine statute states that, ''[a] physician assistant may not render medical services until the physician assistant has applied for and obtained from either the Board of Licensure in Medicine or the Board of Osteopathic Licensure: . . . [a] license, which must be renewed biennially with the board that issued the initial license.'' *Id.* section 3270–E(1)(A).

Here, the undisputed evidence in the record is that Registrant lacks authority to practice as a physician assistant in Maine because she voluntarily surrendered her Maine physician assistant license to the Maine Board of Licensure in Medicine and her license is now inactive. As discussed above, an individual must be licensed by the Maine Board of Licensure in Medicine to handle controlled substances in Maine. Thus, because Registrant lacks authority to practice as a physician assistant in Maine and, therefore, is not authorized to handle controlled substances in Maine, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. MG5136723 issued to Rachel Jackson, P.A. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Rachel Jackson, P.A., to renew or modify this registration, as well as any other pending application of Rachel Jackson, P.A., for additional registration in Maine. This Order is effective April 21, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 13, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–04752 Filed 3–19–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

William Needham, N.P.; Decision and Order

On May 21, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to William Needham, N.P., of Jackson, Mississippi (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 4. The OSC proposed the revocation of Registrant's Certificate of Registration No. MN5005788, alleging that Registrant's registration should be revoked because Registrant is ''currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Mississippi, the state in which [he is] registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).[1]

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 1.[2] ''A default, unless excused, shall be deemed to constitute a waiver of the [registrant's] right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default, pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted. According to the OSC, on or about December 5, 2023, the State of Mississippi Board of Nursing suspended both Registrant's Mississippi registered nurse license and Registrant's Mississippi nurse practitioner license. RFAAX 2, at 2.

According to Mississippi online records, of which the Agency takes official notice, both Registrant's Mississippi registered nurse license and Registrant's Mississippi nurse practitioner license are revoked and expired.[3] State of Mississippi Board of Nursing License Verification, *https://gateway.licensure.msbn.ms.gov/Verification/search.aspx* (last visited

registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper,* M.D., 76 FR 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton,* M.D., 43 FR 27617.

[1] According to Agency records, Registrant's registration expired on December 31, 2024. The fact that a registrant allows his registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–68479 (2019).

[2] Based on the Government's submissions in its RFAA dated July 8, 2024, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the included Form DEA–12 signed by Registrant indicates that Registrant was personally served a copy of the OSC by DEA officials on May 28, 2024. RFAAX 1, Attachment B.

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice nursing nor licensed as a nurse practitioner in Mississippi, the state in which he is registered with DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371, 71372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).[4]

According to Mississippi statute, ''dispense'' means ''to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.'' Miss. Code Ann. section 41–29–105(j) (2024). Further, a ''practitioner'' means a person ''licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.'' *Id.* section 41–29–105(y)(i). Because Registrant is not currently licensed as a registered nurse, nurse practitioner, or otherwise licensed in Mississippi, he is not authorized to dispense controlled substances in Mississippi.

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice nursing in Mississippi. As already discussed, a person must be a licensed practitioner to dispense a controlled substance in Mississippi. Thus, because Registrant lacks authority to practice nursing in Mississippi and, therefore, is not authorized to handle controlled substances in Mississippi, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. MN5005788 issued to William Needham, N.P. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of William Needham, N.P., to renew or modify this registration, as well as any other pending application of William Needham, N.P., for additional registration in Mississippi. This Order is effective April 21, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 13, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–04753 Filed 3–19–25; 8:45 am]

BILLING CODE 4410–09–P

[4] This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371–72; *Sheran Arden Yeats, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR 27617.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Margaret Sprague, M.D.; Decision and Order

On July 15, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Margaret Sprague, M.D., of La Jolla, California (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 4, at 1, 4. The OSC proposed the revocation of Registrant's Certificate of Registration No. FS8371267, alleging that Registrant's registration should be revoked because Registrant is ''currently without authority to prescribe, administer, dispense, or to otherwise handle controlled substances in the State of California, the state in which [she is] registered with DEA.'' *Id.* at 1–2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of her right to file a written request for hearing, and that if she failed to file such a request, she would be deemed to have waived her right to a hearing and be in default. *Id.* at 2–3 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 3.[1] ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

[1] Based on the Government's submissions in its RFAA dated September 23, 2024, the Agency finds that service of the OSC on Registrant was adequate. On August 2, 2024, Registrant was personally served with the OSC. RFAAX 1, at 1. On September 4, 2024, Registrant filed a ''Response to Order to Show Cause,'' to which, on the same date, Administrative Law Judge Paul E. Soeffing (the ALJ) issued an Order directing Registrant to file a request for hearing and an Answer to the allegations of the OSC by September 11, 2024. *Id.* at 1–2; *see also* RFAAX 2. On September 10, 2024, Registrant filed a ''Request for Extension of Time to File Request for Hearing and Answer,'' to which the ALJ granted Registrant a two-day extension. RFAAX 1, at 2; *see also* RFAAX 3. Ultimately, Registrant failed to file a request for hearing or Answer by the new deadline. RFAAX 1, at 2. On September 13, 2024, the ALJ terminated the proceedings. *Id.* at 3. Further, Registrant was ''deemed to have waived her right to a hearing and [to be] in default.'' *Id.*

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted. According to the OSC, on or about November 30, 2023, the Medical Board of California revoked Registrant's state medical license. RFAAX 4, at 2. According to California online records, of which the Agency takes official notice, Registrant's California medical license remains revoked.[2] California DCA License Search, *https://search.dca.ca.gov* (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice medicine in California, the state in which she is registered with DEA.[3]

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71,371, 71,372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27,616, 27,617 (1978).[4]

According to California statute, ''dispense'' means ''to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, furnishing, packaging, labeling, or compounding necessary to prepare the substance for that delivery.'' Cal. Health & Safety Code § 11010 (West 2024). Further, a ''practitioner'' means a person ''licensed, registered, or otherwise permitted, to distribute, dispense, conduct research with respect to, or administer, a controlled substance in the course of professional practice or research in [the] state.'' *Id.* § 11026(c).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in California. As discussed above, a physician must be a licensed practitioner to dispense a controlled substance in California. Thus, because Registrant currently lacks authority to practice medicine in California and, therefore, is not currently authorized to handle controlled substances in California, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FS8371267 issued to Margaret Sprague, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Margaret Sprague, M.D., to renew or modify this registration, as well as any other pending application of Margaret Sprague, M.D., for additional registration in California. This Order is effective April 21, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 13, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–04754 Filed 3–19–25; 8:45 am]

BILLING CODE 4410–09–P

[2] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

[3] Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' The material fact here is that Registrant, as of the date of this decision, is not licensed to practice medicine in California. Registrant may dispute this fact by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

[4] This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper,* M.D., 76 FR at 71,371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39,130, 39,131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51,104, 51,105 (1993); *Bobby Watts, M.D.,* 53 FR 11,919, 11,920 (1988); *Frederick Marsh Blanton,* M.D., 43 FR at 27,617.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Hazem Barmada, M.D.; Decision and Order

On February 2, 2022, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Hazem Barmada, M.D. of Ocean Springs, Mississippi (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1, 3. The OSC proposed the revocation of Registrant's Certification of Registration No. BB4130162, alleging that Registrant's registration should be

revoked because Registrant is ''currently without authority to handle controlled substances in the State of Mississippi, the state in which [he is] registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).[1]

The Agency makes the following findings of fact based on the uncontroverted evidence submitted by the Government in its RFAA dated April 4, 2024.[2]

Findings of Fact

On November 18, 2021, the Mississippi State Board of Medical Licensure accepted Registrant's voluntary surrender of his Mississippi medical license. RFAAX 4, at 1–2. According to Mississippi online records, of which the Agency takes official notice, Registrant's Mississippi medical license remains surrendered.[3] Mississippi State Board of Medical Licensure Licensee Lookup, *https://gateway.msbml.ms.gov/verification/search.aspx* (last visited date of signature of this Order).

Accordingly, the Agency finds that Registrant is not licensed to practice medicine in Mississippi, the State in which he is registered with DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the State in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371, 71372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).[4]

According to Mississippi statute, ''dispense'' means ''to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.'' Miss. Code Ann. section 41–29–105(j) (2024). Further, a ''practitioner'' means a person ''licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.'' *Id.* section 41–29–105(y)(i).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in Mississippi. As discussed above, an individual must be a licensed practitioner to dispense a controlled substance in Mississippi. Thus, because Registrant lacks authority to practice medicine in Mississippi and, therefore, is not authorized to handle controlled substances in Mississippi, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BB4130162, issued to Hazem Barmada, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Hazem Barmada, M.D., to renew or modify this registration, as well as any other pending application of Hazem Barmada, M.D., for additional registration in Mississippi. This Order is effective April 21, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 13, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–04768 Filed 3–19–25; 8:45 am]

BILLING CODE 4410–09–P

[1] According to Agency records, Registrant's registration expired on July 31, 2024. The fact that a registrant allows his registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–79 (2019).

[2] Based on the Declaration from a DEA Diversion Investigator, the Agency finds that the Government's service of the OSC on Registrant was adequate and rendered on February 23, 2022. RFAAX 2, at 3. On April 7, 2022, Registrant requested additional time to respond to the OSC, which Administrative Law Judge Teresa A. Wallbaum (the ALJ) granted. RFAAX 3, at 1. On April 22, 2022, Registrant sent an email regarding State medical board proceedings, but did not mention or request a hearing regarding the OSC. *Id.* On April 25, 2022, the ALJ issued an Order Terminating Proceedings due to Registrant's failure to request a hearing. *Id.*

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

[4] This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess State authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices. *See, e.g., James L. Hooper,* M.D., 76 FR 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR 27617.

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before April 21, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: Accidents involving falls of roof, face, and rib in underground mines or falls of highwall in surface mines, historically, have been among the leading causes of injuries and deaths. Prevention or control of falls of roof, face, and rib is uniquely difficult because of the variety of conditions encountered in mines that can affect the stability of various types of strata and the changing nature of the forces affecting ground stability at any given operation and time. Roof and rock bolts and accessories are an integral part of ground control systems and are used to prevent the fall of roof, face, and rib. Advancements in technology of roof and rock bolts and accessories have aided in reducing the hazards associated with falls of roof, face, and rib. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on October 23, 2024 (89 FR 84627).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Agency: DOL–MSHA.

Title of Collection: Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines.

OMB Control Number: 1219–0121.

Affected Public: Businesses or other for-profits.

Number of Respondents: 484.

Number of Responses: 79,167.

Annual Burden Hours: 740 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–04721 Filed 3–19–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ICG Beckley, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0032 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0032.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–021–C.

Petitioner: ICG Beckley, LLC, P.O. Box 49, Eccles, West Virginia 25836.

Mine: Beckley Pocahontas Mine, MSHA ID No. 46–05252, located in Raleigh County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) in locations within 150 feet of pillar workings or longwall faces. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR–800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) Previously, they have used the 3MTM Airstream TM helmet to provide additional protection for miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(b) 3M elected to discontinue the 3MTM Airstream TM helmet, replacing it with a 3M Versaflo TM TR–800 which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3MTM Airstream TM Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they had faced multiple key component supply disruptions for the Airstream TM product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream TM in June 2020, and this discontinuation is global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream TM components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream TM do not have an MSHA-approved alternative PAPR to provide to miners. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) ICG Beckley Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposed with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and must be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in this petition.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) ICG Beckley, LLC shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be used in locations within 150 feet of pillar workings or longwall faces, shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) ICG Beckley, LLC shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's log book and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be used in locations within 150 feet of pillar workings or longwall faces or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the Proposed Decision and Order (PDO) granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX in locations within 150 feet of pillar workings or longwall faces, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating conditions as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX in locations within 150 feet of pillar workings or longwall faces, or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be de-energized immediately and the equipment withdrawn outby the last open crosscut.

(m) ICG Beckley, LLC shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3MTM Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(3) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(4) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(5) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, ICG Beckley Pocahontas Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used in locations within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) ICG Beckley, LLC shall provide annual retraining to all personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) ICG Beckley, LLC shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

The miners at Beckley Pocahontas Mine are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04719 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ACI Tygart Valley.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0027 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2024–0027.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–023–C.

Petitioner: ACI Tygart Valley, 1200 Tygart Drive, Grafton, West Virginia 26354.

Mine: Leer Mine, MSHA ID No. 46–09192, located in Taylor County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR taken into or used inby the last open crosscut.

The petitioner states that:

(a) Leer Mine has previously used the 3M Airstream Headgear-Mounted PAPR System to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M elected to discontinue the 3M Airstream helmet, replacing it with the 3M Versaflo TR–800, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they faced multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Leer Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall

be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Leer Mine shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries shall be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs taken into or used inby the last open crosscut shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed four power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) Leer Mine shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs taken into or used inby the last open crosscut, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX taken into or used inby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX taken into or used inby the last open crosscut or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(m) Leer Mine shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power 5 Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, Leer Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training

indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX is taken into or used inby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Leer Mine shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) Leer Mine shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(u) There are no representatives of miners at ACI Tygart Vally, Leer Mine. A copy of this petition has been posted on the bulletin board as of December 31, 2024.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04722 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ICG Beckley, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0031 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0031.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–020–C.

Petitioner: ICG Beckley, LLC, P.O. Box 49, Eccles, West Virginia 25836.

Mine: Beckley Pocahontas Mine, MSHA ID No. 46–05252, located in Raleigh County, West Virginia.

Regulation Affected: 30 CFR 75.507–1(a), Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements.

Modification Request: The petitioner requests a modification of 30 CFR 75.507–1(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) in return air outby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR–800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) Previously, they have used the 3MTM Airstream TM helmet to provide additional protection for miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(b) 3M elected to discontinue the 3MTM Airstream TM helmet, replacing it with a 3M Versaflo TM TR–800 which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3MTM Airstream TM Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they had faced multiple key component supply disruptions for the Airstream TM product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream TM in June 2020, and this discontinuation is global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream TM components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream TM do not have an MSHA-approved

alternative PAPR to provide to miners. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) ICG Beckley Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposed with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and must be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in this petition.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) ICG Beckley, LLC shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be used in return air outby the last open crosscut, shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) ICG Beckley, LLC shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's log book and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be used in return air outby the last open crosscut or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the Proposed Decision and Order (PDO) granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX in return air outby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating conditions as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX in return air outby the last open crosscut, or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be de-energized immediately and the equipment withdrawn outby the last open crosscut.

(m) ICG Beckley, LLC shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3MTM Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(3) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(4) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(5) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, ICG Beckley Pocahontas Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used in return air outby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) ICG Beckley, LLC shall provide annual retraining to all personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) ICG Beckley, LLC shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

The miners at Beckley Pocahontas Mine are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04716 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ACI Tygart Valley.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0028 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2024–0028.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–024–C.

Petitioner: ACI Tygart Valley, 1200 Tygart Drive, Grafton, West Virginia 26354.

Mine: Leer Mine, MSHA ID No. 46–09192, located in Taylor County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR within 150 feet of pillar workings or longwall faces.

The petitioner states that:

(a) Leer Mine has previously used the 3M Airstream Headgear-Mounted PAPR System to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M elected to discontinue the 3M Airstream helmet, replacing it with the 3M Versaflo TR–800, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they faced multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Leer Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Leer Mine shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries shall be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs used within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed four power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) Leer Mine shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that can be used within 150 feet of pillar workings or longwall faces, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX that can be used within 150 feet of pillar workings or longwall faces, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX used within 150 feet of pillar workings or longwall faces or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(m) Leer Mine shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power 5 Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, Leer Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Leer Mine shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) Leer Mine shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(u) There are no representatives of miners at ACI Tygart Vally, Leer Mine. A copy of this petition has been posted on the bulletin board as of December 31, 2024.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04715 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Sunrise Coal, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0029 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0029.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–022–C.
Petitioner: Sunrise Coal, LLC, 1183 East Canvasback Drive, Terre Haute, Indiana 47802.
Mine: Oaktown Fuels Mine No. 1, MSHA ID No. 12–02394, located in Knox County, Indiana; Oaktown Fuels Mine No. 2, MSHA ID No. 12–02418, located in Knox County, Indiana.
Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.
Modification Request: The petitioner requests a modification of the standard to allow the use of unapproved Power Air Purifying Respirators (PAPRs) in or inby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery pack assembly, and the 3M Versaflo TR–800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR–800 PAPR with motor/blower and battery qualifies as intrinsically safe based on reports by the International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres (IECEx). The blower is UL-certified with an intrinsically safe rating of Division 1: Class I, II, III; Division 1: Groups C, D, E, F, G; T4 under the current standard of UL 60079; ATEX-certified with a rating of ''ia''. The 3M Versaflo TR–800 is rated and marked Ex ia MA, Ex ia IIB T4 Ga, Ex ia IIIC 135oC Da; 120oC<TA<55oC.

(b) The CleanSpace EX PAPR is certified to be used in hazardous locations (''Ex'') and meets the most onerous level of intrinsic safety protection (''ia''). This level of protection is acceptable for use in mining locations (''I'') and the Equipment Protection Level is appropriate for mining equipment that has a ''very high'' level of protection, with sufficient security that it is unlikely to become an ignition source in normal operation, during expected malfunctions or during rare malfunctions, even when left energized in the presence of an outbreak of gas (''Ma'').

(c) Both the CleanSpace EX and the 3M Versaflo TR–800 PAPRs provide a constant flow of air inside the headtop or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Since the 3M Airstream Headgear-mounted PAPR system has been discontinued by the manufacturer, there are no other MSHA-approved units available for use inby the last open crosscut.

(e) Neither the 3M Versaflo TR–800 nor the CleanSpace EX PAPR is MSHA approved as permissible, and neither the 3M nor CleanSpace is pursuing MSHA approval.

(f) Sunrise Coal, LLC, currently makes available to all miners NIOSH-Approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable dust, including crystalline silica, during normal mining conditions. Sunrise Coal, LLC, would like to expand the miner's option in choosing a respirator for protection as well as comfort. Powered PAPR's provide a constant flow of filtered air and serves that purpose. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the fit test requirement of the program. In addition, the positive flow of filtered air will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(g) The alternate method proposed by the petitioner will at all times guarantee no less than the same measure of protection under the mandatory standard.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of the Proposed Decision and Order (PDO) granted by MSHA and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX PAPR can be used inby the last open crosscut. A record of such training shall be kept and provided upon request.

(b) The PAPRs, battery packs, and all associated wiring connections shall be inspected before use to determine if there was any damage to the unit that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A record book shall be maintained for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept

with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the exam results recorded and maintained for one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used inby the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections; and

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(e) The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the ''power unit'' assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX shall include any indications of physical damage.

(f) All 3M Versaflo TR–800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(g) Prior to energizing and during use of the 3M Versaflo TR–800 or the CleanSpace EX PAPR inby the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(h) All battery changes for the 3M Versaflo TR–800 PAPR shall occur in intake air outby the last open crosscut.

(i) When not in operation, the batteries for the 3M Versaflo TR–800 and the CleanSpace EX PAPRS shall be charged on the surface or in intake air outby the last open crosscut.

(j) Qualified miners shall receive training on how to safely use, care for, and inspect the PAPRs, and the PDO granted by MSHA before using the equipment in the relevant part of the mine. A record of the training shall be kept and made available upon request.

(k) The miners at Sunrise Coal, LLC, are not represented by a labor organization and there are no representatives of miners at the mine. A copy of this revised petition has been posted on the bulletin board at Sunrise Coal, LLC, on February 11, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04717 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ICG Beckley, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0030 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0030.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–019–C.

Petitioner: ICG Beckley, LLC, P.O. Box 49, Eccles, West Virginia 25836.

Mine: Beckley Pocahontas Mine, MSHA ID No. 46–05252, located in Raleigh County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR–800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) Previously, they have used the 3MTM Airstream TM helmet to provide additional protection for miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(b) 3M elected to discontinue the 3MTM Airstream TM helmet, replacing it with a 3M Versaflo TM TR–800 which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3MTM Airstream TM Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they had faced multiple key component supply disruptions for the Airstream TM product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream TM in June 2020, and this discontinuation is global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream TM components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream TM do not have an MSHA-approved alternative PAPR to provide to miners. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) ICG Beckley Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposed with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and must be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in this petition.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) ICG Beckley, LLC shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be taken into or used inby the last open crosscut, shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) ICG Beckley, LLC shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's log book and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be taken into or used inby the last open crosscut or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the Proposed Decision and Order (PDO) granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX taken into or used inby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating conditions as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and

during the use of the 3M Versaflo TR–800 or CleanSpace EX taken into or used inby the last open crosscut, or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be de-energized immediately and the equipment withdrawn outby the last open crosscut.

(m) ICG Beckley, LLC shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battety packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3MTM Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(3) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(4) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(5) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, ICG Beckley Pocahontas Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be taken into or used inby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) ICG Beckley, LLC shall provide annual retraining to all personnel who shall be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) ICG Beckley, LLC shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

The miners at Beckley Pocahontas Mine are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–04718 Filed 3–19–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2010–0037]

Welding, Cutting, and Brazing Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Welding, Cutting, and Brazing Standard.

DATES: Comments must be submitted (postmarked, sent, or received) by May 19, 2025.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the websites. All submissions, including copyrighted

material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2010–0037) for the Information Collection Request (ICR). OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates.

For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Seleda Perryman, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, the collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The following section describes who uses the information collected under each requirement, as well as how they use it. The purpose of the requirements is to ensure that employers evaluate the hazards associated with welding, cutting, and brazing and ensure that adequate measures are taken to make the process safe.

Section 1910.255(e) requires that a periodic inspection of resistance welding equipment be made by qualified maintenance personnel, and that a certification record be generated and maintained. The certification shall include the date of the inspection, the signature of the person who performed the inspection and the serial number, or other identifier, for the equipment inspected. The record shall be made available to an OSHA inspector upon request. The maintenance inspection ensures that welding equipment is in safe operating condition while the maintenance record provides evidence to workers and agency compliance officers that employers performed the required inspections.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the Welding, Cutting, and Brazing Standard. The agency is requesting an adjustment increase in burden from 5,619 to 5,960 hours, a difference of 341 hours. The adjustment increase is due to an increase in the number of welders, cutters, solders, and brazers in general industry going from 21,070 to 22,352 workers. The total number of responses went from 84,280 to 89,408, an increase of 5,128 responses as a result of the change in respondents.

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

Type of Review: Extension of a currently approved collection.

Title: Welding, Cutting, and Brazing Standard.

OMB Control Number: 1218–0207.

Affected Public: Business or other for-profits.

Number of Respondents: 22,352.

Number of Responses: 89,408.

Frequency of Responses: On occasion.

Average Time per Response: Varies.

Estimated Total Burden Hours: 5,960.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and Internet

Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal; or (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693–1648. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (Docket No. OSHA–2010–0037). You may supplement electronic submission by uploading document files electronically.

Comments and submissions are posted without change at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the *https://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download from this website. All submission, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *https://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link. Contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627) for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Scott C. Ketcham, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 8–2020 (85 FR 58393).

Signed at Washington, DC, on March 10, 2025.

Scott C. Ketcham,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–04713 Filed 3–19–25; 8:45 am]

BILLING CODE 4510–26–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1223 and K2025–1222; MC2025–1224 and K2025–1223; MC2025–1225 and K2025–1224; MC2025–1226 and K2025–1225; MC2025–1227 and K2025–1226; MC2025–1228 and K2025–1227; MC1229 and K2025–1228; MC2025–1230 and K2025–1229]

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 24, 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 (*http://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 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).:* MC2025–1223 and K2025–1222; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 641 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* March 24, 2025.

2. *Docket No(s).:* MC2025–1224 and K2025–1223; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 642 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* March 24, 2025.

3. *Docket No(s).:* MC2025–1225 and K2025–1224; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1344 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* March 24, 2025.

4. *Docket No(s).:* MC2025–1226 and K2025–1225; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 643 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 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 24, 2025.

5. *Docket No(s).:* MC2025–1227 and K2025–1226; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 644 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* March 24, 2025.

6. *Docket No(s).:* MC2025–1228 and K2025–1227; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 645 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* March 24, 2025.

7. *Docket No(s).:* MC2025–1229 and K2025–1228; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 646 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public*

[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).

Representative: Samuel Robinson; *Comments Due:* March 24, 2025.

8. *Docket No(s).:* MC2025–1230 and K2025–1229; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 61 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 14, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* March 24, 2025.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Kimberly R. Banks,

Second Certifying Official.

[FR Doc. 2025–04758 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 10, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 1338 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1205, K2025–1204.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04680 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 10, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add USPS Ground Advantage® Contract 12 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1210, K2025–1209.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04679 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 10, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 635 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1211, K2025–1210.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04685 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 10, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 1341 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1212, K2025–1211.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04681 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 644 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1227, K2025–1226.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04694 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a Priority Mail Express International, Priority Mail International & First-Class Package International Service contract to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

DATES: *Date of notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher C. Meyerson, (202) 268–7820.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 59 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1221 and K2025–1220.

Helen E. Vecchione,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2025–04678 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 641 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1223, K2025–1222.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04691 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 645 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1228, K2025–1227.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04695 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 639 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1219, K2025–1218.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04689 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 642 to Competitive Product List.* Documents

are available at *www.prc.gov,* Docket Nos. MC2025–1224, K2025–1223.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04692 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 646 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1229, K2025–1228.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04696 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 1344 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1225, K2025–1224.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04684 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 11, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 636 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1214, K2025–1213.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04686 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 643 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1226, K2025–1225.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04693 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 10, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 1342 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1213, K2025–1212.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04682 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 1343 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1216, K2025–1215.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04683 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 640 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1220, K2025–1219.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04690 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 637 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1215, K2025–1214.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04687 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* March 20, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 638 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2025–1217, K2025–1216.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–04688 Filed 3–19–25; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0381]

Submission for OMB Review; Comment Request; Extension: Form 40–F

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.

Form 40–F (17 CFR 249.240f) is used by certain Canadian issuers to register a class of securities pursuant to Section 12(b) or (g) of the Securities Exchange Act of 1934 (''Exchange Act'') (15 U.S.C. 78l) or as an annual report pursuant to Section 13(a) or 15(d) of the Exchange Act (15 U.S.C. 78m(a) or 78o(d)). The information required in the Form 40–F is used by investors in making investment decisions with respect to the securities of such Canadian companies. We estimate that Form 40–F takes approximately 431.42 hours per response and that there is an average of approximately 175 responses annually. We estimate that 25% of the 431.42 hours per response is prepared by the issuer for an internal burden of 18,875 hours ((0.25 × 431.42) hours per response × 175 responses).

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.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202501-3235-002* 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 21, 2025.

Dated: March 17, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04762 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102679; File No. SR–ICC–2025–001]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change Relating to the Risk Parameter Setting and Review Policy and the Risk Management Model Description

March 14, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934,[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 12, 2025, ICE Clear Credit LLC (''ICE Clear Credit'' or ''ICC'') 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 primarily prepared by ICC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The principal purpose of the proposed rule change is to revise its (i) Risk Parameter Setting and Review Policy (the ''RPSRP''), and (ii) the Risk Management Model Description (the ''RMMD'').

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change, security-based swap submission, or advance notice and discussed any comments it received on the proposed rule change, security-based swap submission, or advance notice. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

ICC proposes revising the RPSRP and RMMD. The proposed amendments are intended to make certain enhancements and clarifications to the RPSRP and RMMD to improve ICC's documentation of its risk management methodology and processes. ICC believes that such revisions will facilitate the prompt and accurate clearance and settlement of securities transactions and derivative agreements, contracts, and transactions for which it is responsible. ICC proposes to make such changes effective following Commission approval of the proposed rule change. The proposed revisions are described in detail as follows.

RPSRP

ICC proposes to revise the RPSRP, which describes the process of setting and reviewing the risk management model core parameters and the performance of sensitivity analysis related to certain parameter settings. The parameters set and calibrated pursuant to the RPSRP are used in ICC's risk methodology in certain calculations including, without limitation, initial margin and guaranty fund requirements, as described in the RMMD and the ICC Risk Management Framework. Such proposed changes to the RPSRP are intended to (i) transition the risk management mean absolute deviation (''MAD'') monthly parameter update for credit default swap (''CDS'') single name risk factors to an automatic daily update in the risk management system; (ii) enhance the documentation and calibration details included in the RPSRP regarding the current anti-procyclical condition (''APC'') measure for CDS index options; and (iii) make certain other minor language corrections and clarifications. The proposed changes are described in detail below.

ICC proposes to amend Section 1.7.1 of the RPSRP, 'Univariate Level Parameters' to revise the cadence at which a specific parameter is updated. Such proposed change relates to the univariate level parameters associated with the integrated spread response (''iSR'') model component.[3] Namely, ICC proposes to transition the risk management MAD monthly parameter update for CDS single name risk factors to an automatic daily update in the risk management system. With this change to an automatic daily update, single name risk factor level risk management MADs will be updated at the same daily cadence as CDS index risk factors.[4] Section 1.7.1 currently compares the suitability of an automatic daily update for CDS single name risk factors and CDS index risk factors. While an automatic daily update is particularly suitable for CDS index risk factors due to their macro-level dynamic market response, CDS single name risk factors still benefit from an automatic daily update.[5] As automatic daily updates are suitable for both CDS single name risk factors and CDS index risk factors, ICC proposes changes to Section 1.7.1 to remove any comparison of suitability. ICC proposes further changes to Section 1.7.1 of the RPSRP to note that the behavior of single name risk factors is inherently prone to idiosyncratic events and hence exhibit dynamic market response to rapidly changing single name risk factor specific market conditions, suitable for and benefitting from automatic risk management MAD updates. With the proposed addition of automatic daily updates, ICC proposes to remove the reference to monthly single name risk factor risk management MAD reviews in Section 1.7.1 of the RPSRP.

Furthermore, ICC proposes additional corrective and clarifying changes to Section 1.7.1 of the RPSRP. Specifically, with respect to the description of the ICC risk department's review of univariate iSR parameters, ICC proposes to delete the erroneous qualifier ''SN'' from the reference to iSR parameters as such reviews are not limited to single name iSR parameters, rather such reviews are conducted with respect to both CDS single name and CDS index iSR parameters. In addition, ICC proposes to add the word ''additional'' to clarify that the ICC risk department presents on an at least monthly basis to the ICC Risk Working Group (''RWG'')[6] the performed analysis, and any ''additional'' proposed parameter updates. The purpose of this change is to clarify that the ICC risk department

[3] The iSR is a risk model component that captures credit spread and recovery rate fluctuations and is computed by creating profit/loss distributions from a set of jointly simulated hypothetical credit spread and recovery rate scenarios.

[4] Please note that ICC transitioned the risk management MAD monthly parameter updates for index risk factors to an automatic daily update in 2021. *See* Exchange Act Release No. 91951 (May 20, 2021), 86 FR 28425 (May 26, 2021) (SR–ICC–2021–009).

[5] For instance, CDS single name risk factors also exhibit a dynamic market response to rapidly changing single name risk factor specific market conditions and are thus also suitable for automatic daily updates.

[6] The ICC Risk Working Group or RWG, which generally meets weekly, is composed of risk employees of ICC Clearing Participants. The RWG consults with the ICC risk department to provide input into ICC's systemic risk approach.

will review with the RWG both the automatic parameter updates described in the RPSRP, and any ''additional'' proposed parameter updates beyond the automatic parameter updates. Such corrective and clarifying changes improve the accuracy of the RPSRP.

In addition, ICC proposes further enhancements to the RPSRP to address recommendations from a recent independent validation report. Such enhancements relate to the anti-procyclicality level parameters associated with the iSR that are designed to help achieve anti-procyclicality of the iSR.[7] ICC analyzes instrument price changes during extreme market events to achieve anti-procyclicality of the iSR. The RPSRP discusses stress scenarios associated with historically observed extreme price changes, which serve as inputs in estimating the anti-procyclical portfolio response used to establish the final portfolio iSR. ICC proposes to revise Section 1.7.3 of the RPSRP, 'Anti-Procyclicality Level Parameters' to add calibration details regarding the current APC measure for CDS index options describing such stress scenario of ''asynchronous'' [8] hedging risk. The proposed enhanced description of the calibration details in Section 1.7.3 of the RPSRP documents that the applicable stress scenario for CDS index options is constructed such that CDS index options prices are not consistent with the CDS index price levels. The proposed enhancements to the description of the calibration details in Section 1.7.3 of the RPSRP do not revise ICC's parameter setting methodology, rather such additional details are intended to increase clarity and provide additional detail to ICC's description of its parameter setting methodology set forth in the RPSRP.

In connection with the proposed enhanced details in Section 1.7.3 of the RPSRP, ICC proposes to formally define the current ''underlying price dislocation factor for options extreme asynchronous price scenarios'' [9] by adding to the list of core risk model parameters contained in Section 1.1., Table 1 of the RPSRP.

Lastly, ICC proposes to revise Section 3 'Revision History' of the RPSRP to include the proposed revisions.

RMMD

ICC proposes to revise the RMMD, which provides a description of ICC's quantitative risk models and the associated methods and techniques used in connection with ICC's determination of initial margin and guaranty fund requirements. Specifically, ICC proposes changes to the RMMD to (i) update the calculation of the risk factor level maximum loss (''MaxLoss'') to make it more robust, conservative, and stable from a risk perspective; and (ii) enhance the documentation and calibration details included in the RMMD regarding the current APC measure for CDS index options (consistent with the analogous proposed changes to the RPSRP described above). The proposed changes are described in detail below.

ICC proposes to revise Section III.2 'Maximum Loss Conditions' of the RMMD to enhance the CDS index and CDS single name MaxLoss boundary condition to make them more stable and conservative. Currently, for the index risk factor and risk sub-factor (''RSF'') [10] MaxLoss boundary conditions, the methodology considers both the loss responses of the underlying CDS index only portfolios, and the loss responses to the combined underlying CDS index and the CDS index option sub-portfolios. Currently the loss response, in both cases, only account for the liability associated with the defaulting net protection buyers and sellers for a given CDS index risk factor and RSF. As amended, for the index risk factor and RSF MaxLoss boundary conditions, the enhancement consists of always considering loss responses of the combined underlying CDS index and the CDS index option sub-portfolios, namely, replacing the underlying CDS index-only portfolios loss responses' component of the MaxLoss boundary condition, with the combined underlying CDS index and the CDS index option sub-portfolio loss responses associated with extreme price moves. The incorporation of the combined underlying CDS index and the CDS index option sub-portfolios' response to extreme price moves provides additional conservative bias because the index risk factor and RSF MaxLoss will only consider loss responses to the combined underlying CDS index and CDS index option sub-portfolios under which the loss response to the extreme price moves can lead to larger losses for the combined underlying CDS index and the CDS index option sub-portfolio. Similarly, for single names, the enhancement of the risk factor and RSF level MaxLoss boundary condition consists of also considering the portfolio responses to extreme price moves to extend the enhancement made to the index risk factor and RSF MaxLoss boundary condition, for consistency. Currently, for single name risk factor and RSF MaxLoss boundary conditions, the methodology only considers the liability associated with defaulting net protection buyers and sellers for a given single name risk factor and RSF. The incorporation of the single name risk factor and RSF sub-portfolio response to extreme price moves provides additional conservative bias because the loss response to extreme price moves can lead to larger losses for the single name risk factor and RSF sub-portfolio.

In addition, ICC proposes further enhancements to the RMMD to address recommendations from a recent independent validation report analogous to the proposed changes to the RPSRP to address independent validation report recommendations described above. Specifically, ICC proposes revising Section VII.5.3 of the RMMD, 'Anti-Procyclicality Measures' to add calibration details regarding the current APC measure for CDS index options describing the stress scenarios of synchronous and asynchronous hedging risk. The proposed enhanced description of the calibration details in Section VII.5.3 of the RMMD documents the different calculations performed for synchronous scenarios as compared to the calculations performed for asynchronous scenarios. Specifically, the proposed changes would formally clarify the synchronous and asynchronous scenarios, when synchronous and asynchronous scenarios could occur, and where to find information related to index risk factor specific price dislocation factor. Calibration details are also updated for this price dislocation factor. The underlying price dislocation factor for asynchronous scenarios is currently set to a specific value in the RMMD. As amended, the underlying price dislocation factor would be calibrated by considering a ratio between peak price decreases or increases. ICC believes the proposed calibration provides a more informed estimate, as

[7] The iSR is ultimately used to compute ICC's initial margin requirements, as the iSR is added along with other requirements to establish the total initial margin requirement for a portfolio.

[8] ''Asynchronous'' hedging risk stress scenario corresponds to the dislocation of the underlying CDS index versus CDS index option hedges in the event of a liquidation auction (*e.g.,* in the event the CDS index options sub-portfolio is auctioned at a different time from the CDS index sub-portfolio). In contrast, ''Synchronous'' hedging risk stress scenario corresponds to the preservation of the underlying CDS index versus CDS index option hedges in the event of a liquidation auction.

[9] Price dislocation factor refers to the current factor that captures the potential asynchronous repricing/liquidation of the option sub-portfolio and the underlying index sub-portfolio, and thus breaking existing hedges.

[10] A risk sub-factor or RSF is a specific single name reference obligation seniority and document clause combination.

the underlying price dislocation factor is no longer static. The proposed enhancements to calibration details in Section VII.5.3 of the RMMD do not revise ICC's parameter setting methodology. The methodology already sets a specific value for the price dislocation factor in the context of asynchronous scenarios. Rather, ICC would calibrate the price dislocation factor by using a ratio of the current extreme price moves. The additional calibration details are intended to increase clarity, provide additional detail to ICC's description of its risk methodology set forth in the RMMD, and address independent validation recommendations to ensure robustness of ICC's methodology.

Lastly, ICC proposes to add a 'Revision History' Section to the RMMD to document revisions made to the RMMD on a going forward basis.

(b) Statutory Basis

ICC believes that the proposed rule change is consistent with the requirements of Section 17A of the Securities Exchange Act of 1934 (the ''Act'') [11] and the regulations thereunder applicable to it, including the applicable standards under Rule 17Ad–22.[12] In particular, Section 17A(b)(3)(F) of the Act [13] requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts and transactions, to assure the safeguarding of securities and funds in the custody or control of the clearing agency or for which it is responsible, and to protect investors and the public interest.

The proposed amendments include the transition of the risk management MAD monthly parameter updates for CDS single name risk factors to an automatic daily update. Such change would timely capture any significant MAD changes and minimize the cumulative effect of MAD changes between parameter updates, and thus reduce the level of initial margin procyclicality. The proposed amendments to the RMMD to update the calculation of risk factor level MaxLoss will make the methodology more anti-procyclical, thereby making it more robust, conservative, and stable from a risk perspective. The remaining proposed amendments to the RPSRP and RMMD address independent validation recommendations and provide further detail and language clarifications and corrections which would strengthen and further ensure readability and clarity with respect to ICC's process of setting and reviewing the model core parameters to ensure that the documentation remains up-to-date, clear and transparent to support the effectiveness of ICC's risk management. Accordingly, in ICC's view, the proposed rule change is consistent with the prompt and accurate clearance and settlement of the contracts cleared at ICC, the safeguarding of securities and funds in the custody or control of ICC or for which it is responsible, and the protection of investors and the public interest, within the meaning of Section 17A(b)(3)(F) of the Act.[14]

Rule 17Ad–22(e)(2)(i) and (v) [15] requires each covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent and specify clear and direct lines of responsibility. ICC's RPSRP clearly assigns and documents responsibility and accountability for the estimation and review of the model core parameters and the performance of sensitivity analysis. Regarding the univariate level parameters, the proposed changes continue to ensure that ICC maintains clear and transparent governance procedures and arrangements, including by describing the frequency of the parameter reviews and updates, the group involved in the review process, and prerequisites to implementing parameter updates. As such, in ICC's view, the proposed rule change continues to ensure that ICC maintains policies and procedures that are reasonably designed to provide for clear and transparent governance arrangements and specify clear and direct lines of responsibility, consistent with Rule 17Ad–22(e)(2)(i) and (v).[16]

Rule 17Ad–22(e)(3)(i) [17] requires ICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by it, which includes risk management policies, procedures, and systems designed to identify, measure, monitor, and manage the range of risks that arise in or are borne by it, that are subject to review on a specified periodic basis and approved by the Board annually. ICC maintains a sound risk management framework that identifies, measures, monitors, and manages the range of risks that it faces. The RPSRP and RMMD are key aspects of ICC's risk management approach, and the proposed clarifying amendments would ensure further clarity and transparency in the documentation, which would promote the successful maintenance and operation of the RPSRP and RMMD. As such, the amendments would satisfy the requirements of Rule 17Ad–22(e)(3)(i).[18]

Rule 17Ad–22(e)(4)(ii) [19] requires ICC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes, including by maintaining additional financial resources at the minimum to enable it to cover a wide range of foreseeable stress scenarios that include, but are not limited to, the default of the two participant families that would potentially cause the largest aggregate credit exposure for ICC in extreme but plausible market conditions. The proposed changes promote the soundness of the model including by (i) transitioning the risk management MAD monthly parameter update for single name risk factors to an automatic daily update and (ii) enhancing the documentation to update the calculation of risk factor level MaxLoss to make the methodology more robust, conservative and stable from a risk perspective. ICC believes that the proposed rule change would thus enhance ICC's ability to manage risks and maintain appropriate financial resources. ICC proposes additional enhancements and clarifications, including enhancements to the documentation and calibration details regarding the APC measure for CDS index options. ICC believes that such changes address independent validation recommendations and enhance the readability and transparency of the RPSRP and RMMD, which would strengthen the methodology and documentation and ensure it remains up-to-date, clear and transparent. As such, the proposed amendments would strengthen ICC's ability to maintain its financial resources and withstand the pressures of defaults, consistent with the

[11] 15 U.S.C. 78q–1.

[12] 17 CFR 240.17ad–22.

[13] 15 U.S.C. 78q–1(b)(3)(F).

[14] *Id.*

[15] 17 CFR 240.17ad–22(e)(2)(i) and (v).

[16] *Id.*

[17] 17 CFR 240.17ad–22(e)(3)(i).

[18] *Id.*

[19] 17 CFR 240.17ad–22(e)(4)(ii).

requirements of Rule 17Ad–22(e)(4)(ii).[20]

Rule 17Ad–22(e)(6)(i)[21] requires ICC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market. As described above, the single name risk factor level MADs would be automatically updated daily in the risk management system, which would timely capture any significant MAD changes and minimize the cumulative effect of MAD changes between parameter updates, and thus reduce the level of initial margin procyclicality. The additional clarifications would further promote clarity and transparency in the RPSRP and RMMD. In ICC's view, the proposed changes thus enhance and strengthen ICC's process for reviewing and setting the model core parameters, which in turn serves to promote the soundness of ICC's risk management model and system, which will continue to consider and produce margin levels commensurate with the risks and particular attributes of each relevant product, portfolio, and market, consistent with the requirements of Rule 17Ad–22(e)(6)(i).[22]

(B) Clearing Agency's Statement on Burden on Competition

ICC does not believe the proposed rule change would have any impact, or impose any burden, on competition. The proposed changes to the RSPRP and RMMD will apply uniformly across all market participants. ICC does not believe these amendments would affect the costs of clearing or the ability of market participants to access clearing. Therefore, ICC does not believe the proposed rule change would impose any burden on competition that is inappropriate in furtherance of the purposes of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not been solicited or received. ICC will notify the Commission of any written comments received by ICC.

[20] *Id.*

[21] 17 CFR 240.17ad–22(e)(6)(i).

[22] *Id.*

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 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 (*http://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–ICC–2025–001 on the subject line.

Paper Comments

- Send paper comments in triplicate to [Name of Secretary], Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to file number SR–ICC–2025–001. 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 (*http://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*). 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 filings will also be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's website at *https://www.ice.com/clear-credit/regulation.*

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–ICC–2025–001 and should be submitted on or before April 10, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04659 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102669; File No. SR–PHLX–2024–72]

Self-Regulatory Organizations; Nasdaq Phlx, LLC; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Permit the Trading of FLEX Options on Shares of the iShares Bitcoin Trust ETF

March 14, 2025.

I. Introduction

On December 26, 2024, 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'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Options 8, Section 34, FLEX Trading, to permit options on shares of the iShares Bitcoin Trust ETF (''IBIT'') to trade as cash-settled and physically settled FLEX equity options. The proposed rule change was published for comment in the **Federal Register** on January 14, 2025.[3]

On February 27, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102132 (Jan. 7, 2025), 90 FR 3266 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

within which to approve the proposal, disapprove the proposal, or institute proceedings to determine whether to disapprove the proposal.[5] The Commission received a comment regarding the proposed rule change.[6] This order institutes proceedings under Section 19(b)(2)(B) of the Act[7] to determine whether to approve or disapprove the proposed rule change.

II. Description of the Proposed Rule Change

As described in detail in the Notice, the Exchange proposes to amend its rules to permit the trading of FLEX equity options on IBIT.[8] The Commission approved Nasdaq ISE LLC's (''ISE'') proposal to list and trade options on IBIT.[9] Because the Exchange's listing rules incorporate ISE's listing rules by reference, the Exchange may list IBIT options.[10] The Exchange's rules currently establish position and exercise limits of 25,000 contracts on the same side of the market for IBIT options.[11] The Exchange proposes to amend Options 8, Section 34(e) to apply these position and exercise limits to the proposed IBIT FLEX options and to provide that positions in IBIT FLEX options will be aggregated with positions in non-FLEX IBIT options for purposes of calculating position and exercise limits.[12] Accordingly, the proposal limits the position and exercise limits for all IBIT options—FLEX and non-FLEX—to 25,000 contracts.[13] The Exchange states that capping the aggregated position limit at 25,000 contracts will be sufficient to address concerns related to manipulation and the protection of investors.[14] In addition, the Exchange states that in approving the 25,000-contract position and exercise limit for IBIT options, the Commission concluded, based on its review of the data and analysis provided by ISE, that the proposed position and exercise limits for IBIT options were designed to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security, and to prevent the establishment of options positions that could be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options position.[15]

The Exchange states that FLEX options on ETFs are currently traded in the over-the-counter (''OTC'') market by a variety of market participants, including hedge funds, proprietary trading firms, and pension funds.[16] The Exchange states that the proposed FLEX options could provide a useful risk management and trading vehicle for market participants and their customers.[17] The Exchange further states that FLEX options serve two primary client types in the capital markets: (1) ETF and structured return issuers who seek European-style options with bespoke strike and expirations, such that they can tailor their returns more precisely than they could with standard American-style options; and (2) with respect to stock lending, certain investors (*e.g.,* banks and hedge funds) that seek to align their contract durations for calls and puts, and thereby prefer options with European-style exercise, which can be exercised only at expiration.[18] The Exchange states that FLEX IBIT options traded on the Exchange would have several advantages over contracts traded in the OTC market, including the potential for greater liquidity because each exchange-traded FLEX option can be closed with a liquidating transaction, while OTC FLEX contracts must be held until expiration; reduced counterparty credit risk because exchange-traded contracts are issued and guaranteed by The Options Clearing Corporation (''OCC''); and the price discovery and dissemination provided by exchange trading.[19]

The Exchange states that the same surveillance procedures applicable to other options products listed and traded on the Exchange, including non-FLEX IBIT options, will apply to the proposed FLEX IBIT options, and that the Exchange has the necessary systems capacity to support the proposed options.[20] The Exchange further states that FLEX options products (and their respective symbols) are integrated into the Exchange's existing surveillance system architecture and are thus subject to the relevant surveillance processes.[21] The Exchange states that its market surveillance staff (including staff of the Financial Industry Regulatory Authority who perform surveillance and investigative work on behalf of the Exchange pursuant to a regulatory services agreement) conduct surveillances with respect to IBIT (the underlying ETF) and, as appropriate, would review activity in IBIT when conducting surveillances for market abuse or manipulation in IBIT options.[22] In addition, the Exchange states that it is a member of the Intermarket Surveillance Group (''ISG'') under the Intermarket Surveillance Group Agreement, and that ISG members work together to coordinate surveillance and investigative information sharing in the stock, options, and futures markets.[23] For surveillance purposes, the Exchange states that it would therefore have access to information regarding trading activity in the pertinent underlying securities.[24] The Exchange states that it will implement any additional surveillance procedures it deems necessary to effectively monitor the trading of IBIT options.[25]

III. Summary of Comment Received

The Commission received one comment, which expressed support for the proposal.[26] The commenter states that FLEX options on IBIT would permit the creation of products with precise payoff terms, which would provide investors with hedged exposure to

[5] *See* Securities Exchange Act Release No. 102497 (Feb. 27, 2025), 90 FR 11334 (Mar. 5, 2025) (designating April 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).

[6] Comments received on the proposal are available at *https://www.sec.gov/comments/sr-phlx-2024-72/srphlx202472.htm.*

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See supra* note 3.

[9] *See* Securities Exchange Act Release No. 101128 (Sept. 20, 2024), 89 FR 78942 (Sept. 26, 2024) (order approving File No. SR–ISE–2024–03) (''IBIT Order'').

[10] *See* Options 4 and Securities Exchange Act Release No. 101613 (Nov. 13, 2024), 89 FR 91470 (Nov. 19, 2024) (notice of filing and immediate effectiveness of File No. SR–Phlx–2024–53).

[11] *See* Options 9, Section 13(a) and Option 9, Section 15(a).

[12] *See* proposed Options 8, Section 34(e).

[13] *See* Notice, 90 FR at 3267.

[14] *See* proposed Options 8, Section 34(e).

[15] *See* Notice, 90 FR at 3267 (citing the IBIT Order, 89 FR at 78946). The Exchange states that the Commission considered and reviewed the Exchange's analysis that the exercisable risk associated with a position limit of 25,000 contracts represented only 0.4% of the outstanding shares of IBIT. The Exchange states that the Commission also considered and reviewed the Exchange's statement that with a position limit of 25,000 contracts on the same side of the market and 611,040,000 shares of IBIT outstanding, 244 market participants would have to simultaneously exercise their positions to place IBIT under stress. *See* Notice, 90 FR at 3267 (citing the IBIT Order, 89 FR at 78946),

[16] *See* Notice, 90 FR at 3268.

[17] *See id.*

[18] *See id.*

[19] *See id.*

[20] *See id.*

[21] *See id.* The Exchange states that FLEX trading occurs on the Exchange's trading floor in an open outcry environment. The Exchange states that surveillance staff monitors FLEX trading in open outcry. *See id.* at footnote 24.

[22] *See* Notice, 90 FR at 3268.

[23] *See id.*

[24] *See id.*

[25] *See id.* at 3269.

[26] *See* letter from Matt McFarland, Senior Vice President, Capital Markets, Vest Financial, dated January 27, 2025.

IBIT.[27] The commenter states that these products allow investors to participate in the underlying reference asset in a manner that is less risky than taking a long position in the reference asset outright.[28] In addition, the commenter states that the customizable features of FLEX options allow asset managers to create precise buffer levels, cash settlement (for qualifying ETFs), and outcome periods that cannot be achieved using standardized listed options.[29]

IV. Proceedings To Determine Whether To Approve or Disapprove SR–PHLX–2024–72 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [30] to determine whether the proposed rule change should be approved or disapproved. Institution of such 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 any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[31] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act,[32] which requires, among other things, that the rules of a national securities 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.

Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization that proposed the rule change.'' [33] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[34] and any failure of a self-regulatory organization to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[35] The Commission is instituting proceedings to allow for additional consideration and comment on the issues raised herein, including as to whether the proposal is consistent with the Act. In particular, the Commission asks commenters to address whether the proposal includes sufficient analysis to support a conclusion that the proposal is consistent with the requirements of Section 6(b)(5) of the Act.

V. Procedure: 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 proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations 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.[36]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by April 10, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 24, 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–PHLX–2024–72 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–PHLX–2024–72. 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–PHLX–2024–72 and should be submitted on or before April 10, 2025. Rebuttal comments should be submitted by April 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[37]

Vanessa A. Countryman,

Secretary.

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[27] *See id.* at 1.

[28] *See id.* at 2.

[29] *See id.* at 3.

[30] 15 U.S.C. 78s(b)(2)(B).

[31] *Id.*

[32] 15 U.S.C. 78f(b)(5).

[33] 17 CFR 201.700(b)(3).

[34] *See id.*

[35] *See id.*

[36] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 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, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[37] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102675; File No. SR–NYSEAMER–2024–78]

Self-Regulatory Organizations; NYSE American LLC; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade FLEX Options on the Grayscale Bitcoin Trust

March 14, 2025.

I. Introduction

On December 13, 2024, NYSE American LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to allow the trading of Flexible Exchange (''FLEX'') options on the Grayscale Bitcoin Trust (BTC) (''GBTC''). The proposed rule change was published for comment in the **Federal Register** on December 27, 2024.[3] The Commission has received no comments regarding the proposal.

On February 7, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[4] 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.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.

II. Description of the Proposed Rule Change

As described more fully in the Notice,[7] the Exchange states that FLEX Options are customized equity or index contracts that allow investors to tailor contract terms for exchange-listed equity and index options.[8] The Exchange states that the Commission approved options on GBTC, an exchange-traded fund (''ETF'') that holds bitcoin and is traded on NYSE Arca, Inc., the Exchange's affiliated equities exchange.[9] The Exchange states that options on GBTC are subject to position and exercise limits of 25,000 contracts, and that GBTC options are not currently approved for FLEX trading.[10] The Exchange proposes to amend its rules to permit FLEX Options on GBTC. Under the proposal, FLEX GBTC options would have the same 25,000-contract position limit as Non-FLEX Options on GBTC, and positions in FLEX GBTC options will be aggregated with positions in Non-FLEX GBTC options.[11] Accordingly, the Exchange states that the position and exercise limits for all GBTC options—both FLEX GBTC and non-FLEX GBTC—will be 25,000 contracts.[12] The Exchange states that the proposed aggregated limit effectively restricts a market participant from holding positions that could result in the receipt of more than 2,500,000 shares, aggregated for FLEX GBTC and non-FLEX GBTC (if that market participant exercised all its GBTC options).[13] The Exchange states that capping the aggregated position limit at 25,000 contracts would be sufficient to address concerns related to manipulation and the protection of investors.[14] The Exchange further states that this number is conservative for GBTC and therefore appropriate given its liquidity.[15]

The Exchange states that FLEX Options on ETFs are currently traded in the over-the-counter (''OTC'') market by a variety of market participants, *e.g.,* hedge funds, proprietary trading firms, and pension funds.[16] The Exchange expects that users of these OTC products would be among the primary users of FLEX GBTC options, and that the trading of FLEX GBTC options would allow these market participants to better manage the risk associated with the volatility of GBTC positions given the enhanced liquidity that an exchange-traded product would bring.[17] In addition, the Exchange states that FLEX GBTC options traded on the Exchange would have important advantages over the contracts that are traded in the OTC market, including potentially greater liquidity, The Options Clearing Corporation's guarantee of the options, and the price discovery and dissemination provided by the Exchange and its members.[18] The Exchange states that its ability to offer FLEX GBTC options could provide a useful risk management and trading vehicle for market participants and their customers.[19]

The Exchange states that the same surveillance procedures applicable to other options products listed and traded on the Exchange, including non-FLEX GBTC options, will apply to FLEX GBTC options.[20] The Exchange further states that FLEX options products (and their respective symbols) are integrated into the Exchange's existing surveillance system architecture and are thus subject to the relevant surveillance processes.[21] The Exchange states that its market surveillance staff (including staff of the Financial Industry Regulatory Authority (''FINRA'') who perform surveillance and investigative work on behalf of the Exchange pursuant a regulatory services agreement) conducts surveillances with respect to GBTC (the underlying ETF) and, as appropriate, would review activity in GBTC when conducting surveillances for market abuse or manipulation in the FLEX GBTC options.[22] The Exchange does not believe that allowing FLEX GBTC options would render the marketplace for non-FLEX GBTC options, or equity options in general, more susceptible to manipulative practices.[23] The Exchange states that its existing trading surveillances are adequate to monitor the trading in GBTC and subsequent trading of FLEX GBTC options on the Exchange.[24] Additionally, the Exchange states that it is a member of the Intermarket Surveillance Group (''ISG'') under the Intermarket Surveillance Group Agreement. The Exchange states that ISG members work together to coordinate surveillance and investigative information sharing in the stock, options, and futures markets.[25] The Exchange states that, for surveillance purposes, the Exchange would therefore have access to information regarding trading activity in the pertinent underlying securities. In addition, and as referenced above, the Exchange has a regulatory services

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102014 (Dec. 20, 2024), 89 FR 105669 (Dec. 27, 2024) (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102376 (Feb. 7, 2025) 90 FR 9570 (Feb. 13, 2025) (designating March 27, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See supra* note 3.

[8] *See* Notice, 89 FR at 15669.

[9] *See* Notice, 89 FR at 15669 and Securities Exchange Act Release No. 101386 (Oct. 18, 2024), 89 FR 84960 (Oct. 24, 2024) (order approving File No. SR–NYSEAMER–2024–49). The Exchange states that GBTC options began trading on the Exchange on November 22, 2024. *See* Notice, 89 FR at 15669.

[10] *See id.* at 105669–70.

[11] *See id.* at 105670.

[12] *See id.*

[13] *See id.*

[14] *See id.*

[15] *See id.*

[16] *See id.*

[17] *See id.*

[18] *See id.* at 105670–1.

[19] *See id.* 105671.

[20] *See id.*

[21] *See id.*

[22] *See id.*

[23] *See id.*

[24] *See id.*

[25] *See id.*

agreement with FINRA, pursuant to which FINRA conducts certain surveillances on behalf of the Exchange.[26] Further, pursuant to a multi-party 17d–2 joint plan, all options exchanges allocate regulatory responsibilities to FINRA to conduct certain options-related market surveillances.[27] The Exchange states that it will implement any additional surveillance procedures it deems necessary to effectively monitor the trading of GBTC options.[28]

III. Proceedings To Determine Whether To Approve or Disapprove SR–NYSEAMER–2024–78 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [29] to determine whether the proposed rule change should be approved or disapproved. Institution of such 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 any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[30] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act,[31] which requires, among other things, that the rules of a national securities 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.

Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization that proposed the rule change.'' [32] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[33] and any failure of a self-regulatory organization to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[34] The Commission is instituting proceedings to allow for additional consideration and comment on the issues raised herein, including as to whether the proposal is consistent with the Act. In particular, the Commission asks commenters to address whether the proposal includes sufficient analysis to support a conclusion that the proposal is consistent with the requirements of Section 6(b)(5) of the Act.

IV. Procedure: 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 proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations 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.[35]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by April 10, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 24, 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–NYSEAMER–2024–78 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–NYSEAMER–2024–78. 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–NYSEAMER–2024–78 and should be submitted on or before April 10, 2025. Rebuttal comments should be submitted by April 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[36]

Vanessa A. Countryman,

Secretary.

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[26] *See id.*

[27] *See id.*

[28] *See id.*

[29] 15 U.S.C. 78s(b)(2)(B).

[30] *Id.*

[31] 15 U.S.C. 78f(b)(5).

[32] 17 CFR 201.700(b)(3).

[33] *See id.*

[34] *See id.*

[35] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 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, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[36] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102683; File No. SR–NYSENAT–2025–05]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing of Proposed Change To Amend Rules 7.37 and 7.44

March 14, 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 12, 2025, NYSE National, Inc. (''NYSE National'' or the ''Exchange'') 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

The Exchange proposes to amend Rules 7.37 and 7.44 to provide for the use of an optional routing strategy available for Type 1 Retail Orders. The proposed 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 to amend Rules 7.37 (Order Execution and Routing) and 7.44 (Retail Liquidity Program) to adopt the Retail Price Improvement Seeking routing strategy, an optional routing strategy available for Type 1 Retail Orders.

The Exchange first proposes to amend Rule 7.44(f)(1), which defines a Type 1 Retail Order. The Exchange operates a Retail Liquidity Program that is intended to attract retail order flow to the Exchange and allow such order flow to receive potential price improvement at the midpoint or better. A Retail Order, as defined in Rule 7.44(a)(2), is an agency order or riskless principal order that meets the criteria of FINRA Rule 5320.03, originating from a natural person, and that is submitted to the Exchange by a Retail Member Organization (''RMO''), provided that no change is made to the terms of the order with respect to price or side of market and the order does not originate from a trading algorithm or any other computerized methodology.[3] Rule 7.44(f)(1) currently defines a Type 1 Retail Order to buy (sell) as an MPL IOC Order with a working price at the lower (higher) of the midpoint of the PBBO or its limit price that trades only with available Retail Price Improvement Orders[4] to sell (buy) and all other orders to sell (buy) with a working price below (above) or equal to the midpoint of the PBBO on the Exchange Book. A Type 1 Retail Order does not route (except as specified in Rule 7.44(f)(1)), and the quantity of a Type 1 Retail Order to buy (sell) that does not trade with eligible orders to sell (buy) will be immediately and automatically cancelled. A Type 1 Retail Order would be cancelled on arrival if there is no PBBO or the PBBO is locked or crossed.

The last sentence of Rule 7.44(f)(1) currently provides that a Type 1 Retail Order may be designated with the Retail Midpoint Ping routing strategy, and that a Type 1 Retail Order designated with such routing strategy would be accepted and routed pursuant to such strategy even if there is no PBBO or the PBBO is locked or crossed. The Exchange proposes to amend this sentence to provide that a Type 1 Retail Order may also be designated with a Retail Price Improvement Seeking routing strategy.

The Exchange next proposes to amend Rule 7.37(b)(9) to add new subparagraph (C) providing for the Retail Price Improvement Seeking routing strategy. Proposed Rule 7.37(b)(9)(C) would provide that the Retail Price Improvement Seeking routing strategy would be available for Type 1 Retail Orders. A Type 1 Retail Order designated with the Retail Price Improvement Seeking routing strategy would first check the Exchange book for available shares. Any remaining quantity of the order would then route as a Retail Order[5] to New York Stock Exchange, LLC (''NYSE''). Any shares that remain unexecuted after routing to NYSE will be cancelled. The Retail Price Improvement Seeking routing strategy is intended to offer any remaining quantity of Type 1 Retail Orders, after executing against interest on the Exchange Book, the opportunity to access liquidity on the NYSE, which also operates a retail liquidity program.[6] Type 1 Retail Orders routed to the NYSE with the Retail Price Improvement Seeking routing strategy would be able to interact with Retail Price Improvement Orders[7] and other interest on the NYSE book as a Retail Order in the NYSE retail liquidity program, thereby providing such orders with additional price improvement opportunities.[8] Type 1 Retail Orders designated with the Retail Price Improvement Seeking routing strategy will be routed to the NYSE by the Exchange's routing broker, Archipelago Securities LLC (''ArcaSec''), on behalf of the NYSE National RMOs that originally submitted such orders, and ArcaSec will be qualified as an NYSE RMO under NYSE Rule 7.44(b) for purposes of routing such orders.[9]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] To qualify as an RMO, an ETP Holder must conduct a retail business or route retail orders on behalf of another broker-dealer. *See* Rule 7.44(b)(1). To become an RMO, an ETP Holder must submit an application form, supporting documentation to confirm that the RMO applicant's order flow would meet the requirements of the Retail Order definition, and an attestation that substantially all orders submitted as Retail Orders will qualify as such. *See* Rule 7.44(b)(2).

[4] A Retail Price Improvement Order is an MPL Order that is eligible to trade only with incoming Retail Orders submitted by an RMO. *See* Rule 7.44(a)(3).

[5] The requirements and obligations for NYSE National RMOs are the same as those for NYSE RMOs, as are the definitions of Retail Order on NYSE National and NYSE. *See* NYSE Rules 7.44(a)(2) (defining RMO); 7.44(a)(3) (defining Retail Order); 7.44(b) and 7.44(h) (describing RMO qualifications).

[6] *See* NYSE Rule 7.44.

[7] *See* NYSE Rule 7.44(a)(4).

[8] As proposed, Type 1 Retail Orders (which are MPL IOC Orders) routed pursuant to the Retail Price Improvement Seeking routing strategy would be converted to Limit IOC Orders to comport with the definition of Retail Order in the NYSE Retail Liquidity Program. *See* NYSE Rule 7.44(k) (''A Retail Order to buy (sell) is a Limit IOC Order that will trade only with available Retail Price Improvement Orders to sell (buy) and all other orders to sell (buy) with a working price below (above) the PBO (PBB) on the Exchange Book. . . .'').

[9] ArcaSec will rely on representations made by NYSE National RMOs with respect to their Retail Orders and is not responsible for verifying that orders routed pursuant to the Retail Price Improvement Seeking routing strategy satisfy the definition of a Retail Order under exchange rules.

Subject to approval of this proposed rule change, the Exchange will implement this change no later than in the third quarter of 2025 and announce the implementation date by Trader Update.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[10] in general, and furthers the objectives of Section 6(b)(5),[11] 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.

The Exchange believes the proposed change 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 by providing for the optional use of routing functionality that would offer Type 1 Retail Orders the opportunity to pursue additional price improvement opportunities on another market offering retail liquidity. Although the proposed routing strategy is not identical to any existing routing strategies offered by an equity exchange, the Exchange believes it is not dissimilar to routing options already offered by the Exchange, its affiliated exchanges, and/or other equity exchanges. The Retail Price Improvement Seeking routing strategy, as proposed, would be available specifically to retail order flow, like the Retail Midpoint Ping routing strategy currently offered on the Exchange and a routing option currently offered by another equity exchange,[12] and offers functionality similar to routing options available on the Exchange and other equity exchanges in that it would route orders to an affiliated exchange.[13]

The Exchange further believes that the proposed change 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 it would afford greater flexibility to market participants through the optional use of a routing strategy providing retail order flow with the option to seek additional price improvement opportunities on another market offering retail liquidity. The Exchange also believes that the proposed change would promote just and equitable principles of trade and remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it is intended to attract retail order flow to the Exchange, including by facilitating additional opportunities for such order flow to receive potential price improvement on both the Exchange and on another market offering retail liquidity. The proposed change could also promote competition for retail order flow among execution venues, which would benefit retail investors by creating additional price improvement opportunities for marketable retail order flow on multiple public exchanges. The Exchange also believes that the proposed change would allow it to compete with other equity exchanges that similarly promote additional trading opportunities for retail order flow at the midpoint,[14] as well as with other equity exchanges that offer similar routing options.

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 Exchange believes that the proposed change could instead encourage competition by offering the optional use of routing strategies similar to those already offered by other equity exchanges, as well as by promoting additional trading opportunities (including for retail order flow, in particular).

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–NYSENAT–2025–05 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–NYSENAT–2025–05. 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

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

[12] *See, e.g.,* NYSE National Rule 7.37(b)(9)(B) (describing the Retail Midpoint Ping routing strategy, which is also available only to Type 1 Retail Orders); Nasdaq Rule 4758(a)(1)(A)(v) (describing RFTY routing option available for Designated Retail Orders).

[13] *See, e.g.,* NYSE National Rule 7.37(b)(9)(B) (describing the Retail Midpoint Ping routing strategy, which also routes to affiliated exchanges); NYSE National Rule 7.37(b)(9)(A) (describing the Midpoint Ping routing strategy, which routes to affiliated exchanges); NYSE Rule 7.37(c)(9)(A) (same); NYSE American, LLC Rule 7.37E(b)(9)(A) (same); NYSE Arca, Inc. Rule 7.37–E(b)(9)(A) (same); NYSE Chicago, Inc. Rule 7.37(b)(9)(A) (same); BYX Rule 11.13(b)(3)(Q) (describing the RMPT and RMPL routing options, under which a Mid-Point Peg Order checks the originating book for available shares before any remaining shares are routed to destinations on the System routing table that support midpoint eligible orders); BZX Rule 11.14(b)(3)(O) (describing the ALLB routing option, which checks the originating order book for available shares before routing to other markets in the Cboe group of exchanges); BYX Rule 11.13(b)(3)(M) (same); EDGA Rule 11.11(g)(7) (same); EDGX Rule 11.11(g)(7) (same); Nasdaq Rule 4758(a)(1)(A)(xv) (describing the SCAR routing option, which checks the originating order book for available shares and routes to other markets in the Nasdaq group of exchanges); BX Rule 4758(a)(1)(A)(x) (same); PHLX Rule 3315(a)(1)(A)(x) (same).

[14] *See, e.g.,* Investors Exchange LLC (''IEX'') Rule 11.232 (describing the IEX Retail Program, which is designed to provide retail order flow with price improvement opportunities at the midpoint).

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–NYSENAT–2025–05 and should be submitted on or before April 10, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04662 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0082]

Submission for OMB Review; Comment Request; Extension: Form 11–K

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.

Form 11–K (17 CFR 249.311) is the annual report designed for use by employee stock purchase, savings, and similar plans to comply with the reporting requirements under Section 15(d) of the Securities and Exchange Act of 1934 (the ''Exchange Act'') (15 U.S.C. 78o(d)). Section 15(d) establishes a periodic reporting obligation for every issuer of a class of securities registered under the Securities Act of 1933 (the ''Securities Act'') (15 U.S.C. 77a *et seq.*). Form 11–K provides employees of an issuer with financial information so that they can assess the performance of the investment vehicle or stock plan. We estimate that Form 11–K requires approximately internal 95.81 burden hours per response and that there is an average of approximately 941 Form 11–K filings annually for a total of 90,157 internal burden hours annually (95.81 hours per response × 941 responses). We also estimate that Form 11–K requires a cost of approximately $7,525 per response for a total annual cost burden of $7,081,025 ($7,525 per response × 941 responses).

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.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202501-3235-001* 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 21, 2025.

Dated: March 17, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–04766 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102682; File No. SR–ISE–2024–62]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing of Amendment No. 1 and Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, Regarding Position and Exercise Limits for Options on the iShares Bitcoin Trust ETF

March 14, 2025.

I. Introduction

On December 20, 2024, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to apply the position and exercise limits in Options 9, Sections 13 and 15 to options on the iShares Bitcoin Trust ETF (''IBIT'') and to provide for the trading of flexible exchange (''FLEX'') options on IBIT. The proposed rule change was published for comment in the **Federal Register** on January 6, 2025.[3]

On February 20, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[4] 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.[5] The Commission has received comments on the proposed rule change.[6] On March 6, 2025, the Exchange submitted Amendment No. 1 to the proposed rule change (''Amendment No. 1''), which supersedes the original filing in its entirety.[7] The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, and is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[8] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.

II. Self-Regulatory Organization's Description of the Proposed Rule Change, as Modified by Amendment No. 1

The Exchange proposes to amend Options 9, Sections 13 and 15 to propose an increase to the position and exercise limits for iShares Bitcoin Trust ETF (''IBIT''). This Amendment No. 1 supersedes the original filing in its entirety and proposes to (1) amend the position and exercise limit for IBIT options from 25,000 contracts to the applicable position and exercise limit as

[15] 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. 102065 (Dec. 31, 2024), 90 FR 704.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102463, 90 FR 10736 (Feb. 26, 2025). The Commission designated April 6, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] Comments on the proposal are available at: *https://www.sec.gov/comments/sr-ise-2024-62/srise202462.htm.*

[7] Amendment No. 1 revises the proposal to apply the position limits in ISE Options 9, Sections 13(d) and the corresponding exercise limits in ISE Options 9, Section 15 to IBIT options and to remove proposed changes to permit the trading of IBIT FLEX options. Amendment No. 1 is available at: *https://www.sec.gov/comments/sr-ise-2024-62/srise202462-578436-1659562.pdf.*

[8] 15 U.S.C. 78s(b)(2)(B).

determined by Options 9, Section 13 and 15; and (2) conforms the Exhibit 5 to the proposals discussed in the rule proposal.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

III. 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 Exchange proposes to amend Options 9, Section 13, Position Limits, and Options 9, Section 15, Exercise Limits, to permit IBIT to increase its position and exercise limits for options on IBIT from 25,000 contracts by removing IBIT from Supplementary Material .01 to Options 9, Sections 13 and 15.

IBIT is an Exchange-Traded Fund (''ETF'') that holds bitcoin and is listed on The Nasdaq Stock Market LLC.[9] On September 20, 2024, ISE received approval to list options on IBIT.[10] The position and exercise limits for IBIT options are 25,000 contracts as stated in Options 9, Sections 13 and 15, the lowest limit available in options.[11]

Per the Commission ''rules regarding position and exercise limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options positions.'' [12] For this reason, the Commission requires that ''position and exercise limits must be sufficient to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security.'' [13] Based on its review of the data and analysis provided by the Exchange, the Commission concluded that the 25,000 contract position limit for non-FLEX IBIT options satisfied these objectives.[14]

While the Exchange proposed an aggregated 25,000 contract position limit for IBIT options in its IBIT Approval Order, it nonetheless believed that evidence existed to support a much higher position limit. Specifically, the Commission has considered and reviewed the Exchange's analysis in its IBIT Approval Order that the exercisable risk associated with a position limit of 25,000 contracts represented only 0.4% of the outstanding shares of IBIT.[15] The Commission also has considered and reviewed the Exchange's statement its IBIT Approval Order that with a position limit of 25,000 contracts on the same side of the market and 611,040,00 shares of IBIT outstanding, 244 market participants would have to simultaneously exercise their positions to place IBIT under stress.[16] Based on the Commission's review of this information and analysis, the Commission concluded that the proposed position and exercise limits of 25,000 contracts were designed to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security, and to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options position.[17]

IBIT currently qualifies for a 250,000 contract position limit pursuant to the criteria in Options 9, Section 13(d), which requires that, for the most recent six-month period, trading volume for the underlying security be at least 100 million shares.[18] As of November 25, 2024, the market capitalization for IBIT was $46,783,480,800 [19] with an average daily volume (''ADV''), for the preceding three months prior to November 25, 2024, of 39,421,877 shares. IBIT is well above the requisite minimum of 100 million shares necessary to qualify for the 250,000 contract position limit. Also, as of November 25, 2024, there are 19,787,762 bitcoins in circulation.[20] At a price of $94,830,[21] that equates to a market capitalization of greater than $1.876 trillion US. If a position limit of 250,000 contracts were considered, the exercisable risk would represent 2.89% [22] of the outstanding shares outstanding of IBIT. Given IBIT's liquidity, the current 25,000 position limit is extremely conservative.

Position limits, and exercise limits, are designed to limit the number of options contracts traded on the exchange in an underlying security that an investor, acting alone or in concert with others directly or indirectly, may control. These limits, which are described in ISE Options 9, Sections 13 and 15, are intended to address potential manipulative schemes and adverse market impacts surrounding the use of options, such as disrupting the market in the security underlying the options. Position and exercise limits must balance concerns regarding mitigating potential manipulation and

[9] Nasdaq received approval to list and trade Bitcoin-Based Commodity-Based Trust Shares in IBIT pursuant to Rule 5711(d) of Nasdaq. *See* Securities Exchange Act Release No. 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (SR–NASDAQ–2023–016) (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). IBIT started trading on January 11, 2024.

[10] *See* Securities Exchange Act Release No. 101128 (September 20, 2024), 89 FR 78942 (September 26, 2024) (SR–ISE–2024–03) (Notice of Filing of Amendment Nos. 4 and 5 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 4, and 5, To Permit the Listing and Trading of Options on the iShares Bitcoin Trust) (''IBIT Approval Order''). ISE began trading IBIT options on November 19, 2024.

[11] Options on Fidelity Wise Origin Bitcoin Fund, ARK 21Shares Bitcoin ETF, Grayscale Bitcoin Trust (BTC), Grayscale Bitcoin Mini Trust BTC, and Bitwise Bitcoin ETF are also subject to a 25,000 contract position and exercise limit.

[12] *See supra* note 4, IBIT Approval Order, 89 FR 78946.

[13] *See id.*

[14] *See id.*

[15] *See id.* Data represents figures from August 12, 2024.

[16] *See id.* Data represents figures from August 12, 2024.

[17] *See id.*

[18] Options 9, Section 13(d), Equity Option Position Limits, provides at subparagraph (5) that to be eligible for the 250,000 contract limit, either the most recent six (6) month trading volume of the underlying security must have totaled at least 100 million shares or the most recent six-month trading volume of the underlying security must have totaled at least seventy-five (75) million shares and the underlying security must have at least 300 million shares currently outstanding.

[19] The market capitalization was determined by multiplying a settlement price of ($54.02) by the number of shares outstanding (866,040,000). This figure was acquired as of November 25, 2024. *See https://www.ishares.com/us/products/333011/ishares-bitcoin-trust-etf.*

[20] *See https://www.coingecko.com/en/coins/bitcoin.*

[21] This is the approximate price of bitcoin from 4:00 p.m. ET on November 25, 2024.

[22] This percentage is arrived at with this equation: (250,000 contract limit * 100 shares per option/866,040,000 shares outstanding).

the cost of inhibiting potential hedging activity that could be used for legitimate economic purposes.

To achieve this balance, ISE proposes to remove IBIT from the table of position limits in Supplementary .01 to Options 9, Section 13 as well as the table of exercise limits in Supplementary .01 to Options 9, Section 15 so that options on IBIT may trade similar to all other options for which the Exchange has not filed to otherwise increase the position limits to levels outside of the limits of ISE Options 9, Section 13(d). As a result of removing IBIT from the aforementioned tables, it would increase the position and exercise limits for options on IBIT from 25,000 to 250,000 contracts based on the parameters of Options 9, Section 13(d). By removing IBIT from the aforementioned tables, IBIT would be subject to subsequent six (6) month reviews to determine future position and exercise limits similar to all other options subject to Options 9, Sections 13 and 15.

In addition to IBIT's Options 9, Section 13(d) eligibility for 250,000 contracts, the Exchange performed additional analysis with respect to IBIT. First, ISE considered IBIT's market capitalization and Average Daily Volume (''ADV''), and prospective position limit in relation to other securities. In measuring IBIT against other securities, ISE aggregated market capitalization and volume data for securities that have defined position limits utilizing data from The Options Clearing Corporations (''OCC'').[23] This pool of data took into consideration 3,897 options on single stock securities, excluding broad based ETFs.[24] Next, the data was aggregated based on market capitalization and ADV and grouped by option symbol and position limit utilizing statistical thresholds for ADV, based on ninety days, and market capitalization that were one standard deviation above the mean for each position limit category (*i.e.,* 25,000, 50,000 to 65,000, 75,000, 100,000 to less than 250,000, and 250,000).[25] This exercise was performed to demonstrate IBIT's position limit relative to other options symbols in terms of market capitalization and ADV. For reference, the market capitalization for IBIT was $46,783,480,800 [26] with an ADV, for the preceding three months prior to November 25, 2024, of 39,421,877 shares.

	25k	50k	75k	100k–<250k	250k–<500k	500k–1mm	>1mm
Market Cap Statistics:							
# of observations ...	562	473	651	240	1934	27	10
average	1,038,795,162	2,957,127,045	4,466,049,699	5,390,836,360	26,286,624,063	67,390,777,100	717,540,906,097
median	360,130,143	889,627,570	1,445,831,231	1,643,123,279	3,535,963,213	27,063,940,966	90,047,209,478
min	2,204,436	4,211,156	3,830,532	5,090,230	1,616,094	2,762,394,749	11,786,645,969
max	36,120,249,097	70,846,805,916	174,820,296,591	106,971,594,180	3,573,884,443,220	733,972,714,698	3,358,647,600,000
IBIT % rank	100.00%	98.94%	98.77%	98.33%	88.57%	59.26%	20.00%
90-Day ADV Statistics:							
# of observations ...	562	473	651	240	1934	27	10
average	76,586	213,419	425,542	623,888	3,510,784	5,930,607	44,610,385
median	67,231	206,402	409,177	625,882	1,620,931	4,724,248	18,017,607
min	4,791	10,084	18,191	105,713	16,276	1,207,242	1,771,544
max	244,499	564,451	989,341	1,339,553	88,351,060	22,397,311	271,230,790
IBIT % rank	100.00%	100.00%	100.00%	100.00%	99.43%	100.00%	80.00%

Based on the above table, if IBIT were compared to the 1,934 stocks that have position limits of 250,000 contracts to less than 500,000 contracts it would rank in the 88th percentile for market capitalization and the 99th percentile for ADV.

The Exchange also analyzed the position limits for IBIT by regressing the market capitalization figures and 90-day ADV of all non-ETF equities, against their respective position limit figures. From this regression, the Exchange was able to determine the implied coefficients to create a formulaic method for determining an appropriate position limit.[27] In this case, the modeled position limit is 565,796 contracts.[28] The results of the study are below.

REGRESSION STATISTICS

Multiple R	0.496800597
R Square	0.246810833
Adjusted R Square	0.246361643
Standard Error	202227.4271
Observations	3,905

ANOVA

	df	SS	MS	F
Regression	2	5.2304E+13	2.6152E+13	639.482566

[23] The computations are based on OCC data from November 25, 2024. Data displaying zero values in market capitalization or ADV were removed.

[24] IBIT has one asset and therefore is not comparable to a broad based ETF where there are typically multiple components.

[25] ISE Options 9, Section 13(d) sets out position limits for various contracts. For example, a 25,000 contract limit applies to those options having an underlying security that does not meet the requirements for a higher options contract limit. The Exchange notes that position limits may also be higher due to corporate actions in the underlying equities, such as a stock split. *See https://www.theocc.com/market-data/market-data-reports/series-and-trading-data/position-limits.* As a result, the Exchange's pool of data considered higher position limits than 250,000 contracts, where applicable.

[26] The market capitalization was determined by multiplying a settlement price of ($54.02) by the number of shares outstanding (866,040,000). This figure was acquired as of November 25, 2024. *See https://www.ishares.com/us/products/333011/ishares-bitcoin-trust-etf.*

[27] The Exchange utilized Excel's Data Analysis Package to model the position limit.

[28] The Exchange utilized this formula to arrive at the number of contracts: ((46,783,380,800 mkt cap * 0.0000002630 market cap coefficient) + (39,421,877 ADV * 0.0140402219 ADV coefficient)).

ANOVA—Continued

	df	SS	MS	F
Residual	3,903	1.5962E+14	4.0896E+10	
Total	3,905	2.1192E+14		
	Coefficients	Standard error	t Stat	P-value
Intercept	0	#N/A	#N/A	#N/A
Market Cap	0.0000002630	3.3371E–08	7.88130564	4.1699E–15
90-day ADV	0.0140402219	0.00055818	25.1533643	1.613E–129

Based on the aforementioned analysis, the Exchange believes that the proposed 250,000 contracts for position and exercise limits is appropriate.

Second, ISE reviewed IBIT's data relative to the market capitalization of the entire bitcoin market in terms of exercise risk and availability of deliverables. As of November 25, 2024, there are 19,787,762 bitcoins in circulation.[29] At a price of $94,830,[30] that equates to a market capitalization of greater than $1.876 trillion US. If a position limit of 250,000 contracts were considered, the exercisable risk would represent 2.89% [31] of the outstanding shares outstanding of IBIT. Since IBIT has a creation and redemption process managed through the issuer, the position limit can be compared to the total market capitalization of the entire bitcoin market and in that case, the exercisable risk for options on IBIT would represent less than .072% of all bitcoin outstanding.[32] Assuming a scenario where all options on IBIT shares were exercised given the proposed 250,000 contract position limit (and exercise limit), this would have a virtually unnoticed impact on the entire bitcoin market. This analysis demonstrates that the proposed 250,000 per same side position and exercise limit is appropriate for options on IBIT given its liquidity.

Third, ISE reviewed the proposed position limit by comparing it to position limits for derivative products regulated by the Commodity Futures Trading Commission (''CFTC''). While the CFTC, through the relevant Designated Contract Markets, only regulates options positions based upon delta equivalents (creating a less stringent standard), ISE examined equivalent bitcoin futures position limits. In particular, ISE looked to the CME bitcoin futures contract [33] that has a position limit of 8,000 futures.[34] On October 22, 2024, CME bitcoin futures settled at $94,945.[35] On October 22, 2024, IBIT settled at $54.02, which would equate to greater than 17,557,898 shares of IBIT if the CME notional position limit was utilized. Since substantial portions of any distributed options portfolio is likely to be out of the money on expiration, an options position limit equivalent to the CME position limit for bitcoin futures (considering that all options deltas are <=1.00) should be a bit higher than the CME implied 175,578 limit. Of note, unlike options contracts, CME position limits are calculated on a net futures-equivalent basis by contract and include contracts that aggregate into one or more base contracts according to an aggregation ratio(s).[36] Therefore, if a portfolio includes positions in options on futures, CME would aggregate those positions into the underlying futures contracts in accordance with a table published by CME on a delta equivalent value for the relevant spot month, subsequent spot month, single month and all month position limits.[37] If a position exceeds position limits because of an option assignment, CME permits market participants to liquidate the excess position within one business day without being considered in violation of its rules. Additionally, if at the close of trading, a position that includes options exceeds position limits for futures contracts, when evaluated using the delta factors as of that day's close of trading, but does not exceed the limits when evaluated using the previous day's delta factors, then the position shall not constitute a position limit violation. Based on the aforementioned analysis, the Exchange believes that the proposed 250,000 contracts for position and exercise limits is appropriate.

Fourth, ISE analyzed a position and exercise limit of 250,000 for IBIT options against other options on ETFs with an underling commodity, namely SPDR Gold Shares (''GLD''), iShares Silver Trust (''SLV''), and ProShares Bitcoin ETF (''BITO'').[38] GLD has a float of 306.1 million shares [39] and a position limit of 250,000 contract. SLV has a float of 520.7 million shares,[40] and a position limit of 250,000 contracts. Finally, BITO has 107.65 million shares outstanding [41] and a position limit of 250,000 contracts. As previously noted, position and exercise limits are designed to limit the number of options contracts traded on the exchange in an underlying security that an investor, acting alone or in concert with others directly or indirectly, may control. A position limit exercise in GLD would represent 8.17% of the float of GLD; a position limit exercise in SLV would represent 4.8% of the float of SLV, and a position limit exercise of BITO would represent 23.22% of the float of BITO. In comparison, a 250,000 contract position limit in IBIT would represent 2.89% of the float of IBIT. Consequently, the 250,000 proposed IBIT options position and exercise limit is more conservative than the standard applied to GLD, SLV and BITO, and appropriate. Additionally, the Exchange notes that the Cboe Bitcoin U.S. ETF Index Options (CBTX) and the Cboe Mini Bitcoin U.S. ETF Index Options

[29] *See https://www.coingecko.com/en/coins/bitcoin.*

[30] This is the approximate price of bitcoin from 4:00 p.m. ET on November 25, 2024.

[31] This percentage is arrived at with this equation: (250,000 contract limit * 100 shares per option/866,040,000 shares outstanding).

[32] This number was arrived at with this calculation: ((250,000 limit * 100 shares per option * $54.02 settle)/(19,787,762 BTC outstanding * $94,830 BTC price)).

[33] CME Bitcoin Futures are described in Chapter 350 of CME's Rulebook.

[34] *See* the Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5 of CME's Rulebook.

[35] 2,000 futures at a 5 bitcoin multiplier (per the contract specifications) equates to $949,450,000 (2000 contracts * 5 BTC per contract * $94,945 price of November BTC future) of notional value.

[36] *See https://www.cmegroup.com/education/courses/market-regulation/position-limits/position-limits-aggregation-of-contracts-and-table.htm.*

[37] *Id.*

[38] GLD, SLV and BITO each hold one asset in trust similar to IBIT.

[39] *See https://www.ssga.com/us/en/intermediary/etfs/spdr-gold-shares-gld.*

[40] *See https://www.ishares.com/us/products/239855/ishares-silver-trust-fund.*

[41] *See https://www.marketwatch.com/investing/fund/bito.*

(MBTX),[42] which trade exclusively on Cboe, are comprised of multiple bitcoin ETFs of which IBIT is the highest weighted (at 20%) in the index composition.[43] These indices currently trade pursuant to a 24,000 contract position and exercise limit.[44]

Fifth, ISE notes that IBIT began trading in penny increments as of January 2, 2025 pursuant to the Penny Interval Program.[45] The Commission noted that evidence contained in both the Exchanges' Report and the Cornerstone analysis demonstrates that the Penny Pilot has benefitted investors and other market participants in the form of narrower spreads.[46] The most actively traded options classes are included in the Penny Program based on certain objective criteria (trading volume thresholds and initial price tests). As noted in the Penny Approval Order, the Penny Program reflects a certain level of trading interest (either because the class is newly listed or a class that experience a significant growth in investor interest) to quote in finer trading increments, which in turn should benefit market participants by reducing the cost of trading such options.[47] IBIT options is among a select group of products that have achieved a certain level of liquidity that have garnered it the ability to trade in finer increments. Failing to increase position and exercise limits for IBIT options, now that it is trading in finer increments, may artificially inhibit liquidity and create price inefficiency.

The Exchange believes that IBIT options has demonstrated that it has more than sufficient liquidity to garner an increased position and exercise limit of 250,000 contracts. The Exchange believes that any concerns related to manipulation and protection of investors are mollified by the significant liquidity provision in IBIT. The Exchange states that, as a general principle, increases in active trading volume and deep liquidity of the underlying securities do not lead to manipulation and/or disruption.

The Exchange believes that increasing the position (and exercise) limits for IBIT options would lead to a more liquid and competitive market environment for IBIT options, which will benefit customers that trade these options. Further, the reporting requirement for such options would remain unchanged. Thus, the Exchange will still require that each member organization that maintains positions in impacted options on the same side of the market, for its own account or for the account of a customer, report certain information to the Exchange. This information includes, but would not be limited to, the options' positions, whether such positions are hedged and, if so, a description of the hedge(s). Market-Makers would continue to be exempt from this reporting requirement, however, the Exchange may access Market-Maker position information.[48] Moreover, the Exchange's requirement that member organizations file reports with the Exchange for any customer who held aggregate large long or short positions on the same side of the market of 200 or more option contracts of any single class for the previous day will remain at this level and will continue to serve as an important part of the Exchange's surveillance efforts.[49]

The Exchange also has no reason to believe that the growth in trading volume in IBIT will not continue. Rather, the Exchange expects continued options volume growth in IBIT as opportunities for investors to participate in the options markets increase and evolve. The Exchange believes that the current position and exercise limits in IBIT options are restrictive and will hamper the listed options markets from being able to compete fairly and effectively with the over-the-counter (''OTC'') markets. OTC transactions occur through bilateral agreements, the terms of which are not publicly disclosed to the marketplace. As such, OTC transactions do not contribute to the price discovery process on a public exchange or other lit markets. The Exchange believes that without the proposed changes to position and exercise limits for IBIT options, market participants will find the 25,000 contract position limit an impediment to their business and investment objectives as well as an impediment to efficient pricing. As such, market participants may find the less transparent OTC markets a more attractive alternative to achieve their investment and hedging objectives, leading to a retreat from the listed options markets, where trades are subject to reporting requirements and daily surveillance. However, the Exchange notes that IBIT's position limits would be reviewed on a six month basis, pursuant to Options 9, Section 13(d), similar to other options.

The Exchange believes that the existing surveillance procedures and reporting requirements at the Exchange are capable of properly identifying disruptive and/or manipulative trading activity. The Exchange also represents that it has adequate surveillances in place to detect potential manipulation, as well as reviews in place to identify continued compliance with the Exchange's listing standards. These procedures monitor market activity via automated surveillance techniques to identify unusual activity in both options and the underlyings, as applicable. The Exchange also notes that large stock holdings must be disclosed to the Commission by way of Schedules 13D

[42] MBTX is based on 1/10th the value of the Cboe Bitcoin U.S. ETF Index.

[43] *See https://www.cboe.com/tradable_products/bitcoin-etf-index-options?utm_source=mcae&utm_medium=email&utm_campaign=bitcoin_eft_options_launch.* Cboe's website provides a product comparison chart indicating that CBTX and MBTX are permitted to trade FLEX as compared to spot bitcoin ETF options. *See https://cdn.cboe.com/resources/membership/Cboe_Bitcoin_US_ETF_Options_Comparative_Overview.pdf?_gl=1*1xmm04c*_up*MQ..*_ga*MTc0MjU1NzU1Ni4xNzM0NTU2NTky*_ga_5Q99WB9X71*MTczNDU1NjU5MC4xLjAuMTczNDU1NjU5MC4wLjAuMA.*

[44] *See* Cboe Rule 8.32(a). The Exchange notes that given the multiplier and notional value of CBTX, the index has a position and exercise limit that equates to 1,000,000 contracts of in kind exposure to IBIT, which is more than 40 times greater than the exposure for options on IBIT at the current 25,000 contract position and exercise limit.

[45] The Exchange may add to the Penny Program a newly listed option class provided that (i) it is among the 300 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in its first full calendar month of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the month after it qualifies and will remain in the Penny Program for one full calendar year, after which it will be subject to the Annual Review described in Supplementary Material .01(b) to Options 3, Section 3. The Exchange may add any option class to the Penny Program, provided that (i) it is among the 75 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in the past six full calendar months of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the second full month after it qualifies and will remain in the Penny Program for the rest of the calendar year, after which it will be subject to the Annual Review as described in Supplementary Material .01(b) to Options 3, Section 3. *See* Supplementary Material .01 to ISE Options 3, Section 3.

[46] *See* Securities Exchange Act Release No. 88532 (April 1, 2020), 67 FR 19545, 19548 (April 7, 2020) (File No. 4–443) (Joint Industry Plan; Order Approving Amendment No. 5 to the Plan for the Purpose of Developing and Implementing Procedures Designed To Facilitate the Listing and Trading of Standardized Options To Adopt a Penny Interval Program) (''Penny Approval Order'').

[47] *Id.* at 19548.

[48] The Options Clearing Corporation (''OCC'') through the Large option Position Reporting (''LOPR'') system acts as a centralized service provider for TPH compliance with position reporting requirements by collecting data from each TPH or TPH organization, consolidating the information, and ultimately providing detailed listings of each TPH's report to the Exchange, as well as Financial Industry Regulatory Authority, Inc. (''FINRA''), acting as its agent pursuant to a regulatory services agreement (''RSA'').

[49] *See* Options 9, Section 16.

or 13G,[50] which are used to report ownership of stock which exceeds 5% of a company's total stock issue and may assist in providing information in monitoring for any potential manipulative schemes. Further, the Exchange believes that the current financial requirements imposed by the Exchange and by the Commission adequately address concerns regarding potentially large, unhedged positions in equity options. Current margin and risk-based haircut methodologies serve to limit the size of positions maintained by any one account by increasing the margin and/or capital that a member organization must maintain for a large position held by itself or by its customer.[51] In addition, Rule 15c3–1 [52] imposes a capital charge on member organizations to the extent of any margin deficiency resulting from the higher margin requirement.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[53] in general, and furthers the objectives of Section 6(b)(5) of the Act,[54] in particular, in that 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 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section (6)(b)(5) [55] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes increasing the position (and exercise limits) for IBIT options from 25,000 to 250,000 contracts by removing IBIT from the table of position limits in Supplementary .01 to Options 9, Section 13 and the table of exercise limits in Supplementary .01 to Options 9, Section 15, so its position limits would be reviewed similar to all other options for which the Exchange has not filed to otherwise increase the position limits to levels outside of the position limits of ISE Options 9, Section 13(d) will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, protect investors and the public interest, because it will provide market participants with the ability to more effectively execute their trading and hedging activities. Also, increasing the position (and exercise) limits for IBIT options may allow Market-Makers to maintain their liquidity in these options in amounts commensurate with the continued high consumer demand in IBIT options market. The proposed higher position and exercise limit may also encourage other liquidity providers to continue to trade on the Exchange rather than shift their volume to OTC markets, which will enhance the process of price discovery conducted on the Exchange through increased order flow. The Exchange notes that a higher position and exercise limit would further allow institutional investors to utilize IBIT options for prudent risk management purposes. The Exchange notes that IBIT's position limits would be reviewed on a six month basis, pursuant to Options 9, Section 13(d), similar to other options.

In addition, the Exchange believes that the current liquidity in shares of and options on IBIT will mitigate concerns regarding potential manipulation of IBIT and/or disruption of IBIT upon increasing the position limit. ISE's proposed position and exercise limit of 250,000 contracts on IBIT options is appropriate given the market capitalization and ADV of IBIT and designed to prevent fraudulent and manipulative acts and practices. If IBIT were compared to the 1,934 stocks that have position limits of 250,000 contracts to less than 500,000 contracts it would rank in the 88th percentile for market capitalization and the 99th percentile for ADV.

Additionally, the regression model performed by ISE demonstrates that the proposed position limit is half of the modeled limit given the liquidity of IBIT. Comparing IBIT's data relative to the market capitalization of the entire bitcoin market in terms of exercise risk and availability of deliverables, the Exchange was able to conclude that if a position limit of 250,000 contracts were considered, the exercisable risk would represent 2.89% [56] of the shares outstanding of IBIT. Since IBIT has a creation and redemption process managed through the issuer (whereby Bitcoin is used to create IBIT shares), the position limit can be compared to the total market capitalization of the entire bitcoin market and in that case, the exercisable risk for options on IBIT would represent less than .072% of all bitcoin outstanding.[57] Comparing the proposed position limit to position limits for equivalent bitcoin futures position limits, the analysis demonstrated that the proposed 250,000 contracts for position and exercise limits is appropriate.

Comparing a position limit of 250,000 for IBIT options against other options on ETFs with an underling commodity, namely GLD, SLV and BITO, a position limit exercise in GLD represents 8.17% of the float of GLD, a position limit exercise in SLV represents 4.8% of the float of SLV, and a position limit exercise of BITO represents 23.22% of the float of BITO. In comparison, a 250,000 contract position limit in IBIT options would represent 2.89% of the float of IBIT. Consequently, the 250,000 proposed IBIT options position limit is more conservative than the standard applied to GLD, SLV and BITO, and appropriate. Also, the Exchange notes that Cboe's proprietary CBTX and MBTX indices weight IBIT the highest (at 20%) in its index composition among the other ETFs that comprise the index.[58] The Exchange notes that today, these indexes have a position of 24,000 contracts which is much higher than the current position limits for IBIT options when considering the notional value of the indices.[59] These indexes are already trading with position and exercise limits that are higher than the lowest position limit for an industry index option.[60]

ISE notes that IBIT began trading in penny increments on January 2, 2025 pursuant to the Penny Interval

[50] 17 CFR 240.13d–1.

[51] *See* Options 9, Section 3 regarding margin requirements.

[52] 17 CFR 240.15c3–1.

[53] 15 U.S.C. 78f(b).

[54] 15 U.S.C. 78f(b)(5).

[55] 15 U.S.C. 78(f)(b)(5).

[56] This percentage is arrived at with this equation: (250,000 contract limit * 100 shares per option/ 866,040,000 shares outstanding).

[57] This number was arrived at with this calculation: ((250,000 limit * 100 shares per option * $54.02 settle)/(19,787,762 BTC outstanding * $94,830 BTC price)).

[58] *See https://www.cboe.com/tradable_products/bitcoin-etf-index-options?utm_source=mcae&utm_medium=email&utm_campaign=bitcoin_eft_options_launch.*

[59] *See* Cboe Rule 8.32(a). The Exchange notes that given the multiplier and notional value of CBTX, the index has a position and exercise limit that equates to 1,000,000 contracts of in kind exposure to IBIT, which is more than 40 times greater than the exposure for options on IBIT at the current 25,000 contract position and exercise limit.

[60] 18,000 contracts is the lowest position limit for industry index options if the Exchange determines, at the time of a review conducted pursuant to subparagraph (2) of this paragraph (a), that any single underlying stock accounted, on average, for thirty percent (30%) or more of the index value during the thirty (30) -day period immediately preceding the review. *See* ISE Options 4A, Section 7. Further, Cboe Rule 8.32(a)(3) permits a limit of 31,500 contracts if the Exchange determines that the conditions specified in Rule 8.32(a)(1) and (2), which would require the establishment of a lower limit, have not occurred.

Program.[61] The Commission noted that evidence contained in both the Exchanges' Report and the Cornerstone analysis demonstrates that the Penny Pilot has benefitted investors and other market participants in the form of narrower spreads.[62] The most actively traded options classes are included in the Penny Program based on certain objective criteria (trading volume thresholds and initial price tests). As noted in the Penny Approval Order, the Penny Program reflects a certain level of trading interest (either because the class is newly listed or a class that experience a significant growth in investor interest) to quote in finer trading increments, which in turn should benefit market participants by reducing the cost of trading such options.[63] IBIT options are among a select group of products that have achieved a certain level of liquidity that have garnered it the ability to trade in finer increments pursuant to the Penny Interval Program. Failing to increase position and exercise limits given the trading in finer increments, may artificially inhibit liquidity and create price inefficiency for IBIT options.

Finally, as discussed above, the Exchange's surveillance and reporting safeguards continue to be designed to deter and detect possible manipulative behavior that might arise from increasing or eliminating position and exercise limits in certain classes. The Exchange believes that the current financial requirements imposed by the Exchange and by the Commission adequately address concerns regarding potentially large, unhedged positions in the options on the underlying securities, further promoting just and equitable principles of trading, the maintenance of a fair and orderly market, and the protection of investors.

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 Exchange's proposal does not burden intra-market competition because all Members would be permitted to trade IBIT options pursuant to the proposed position and exercise limit of 250,000 contracts and any other position limit for which IBIT options may be subject to in the futures pursuant to Options 9, Section 13(d) as well as corresponding exercise limits pursuant to Options 9, Section 15. The Exchange believes that the proposed rule change will also provide additional opportunities for market participants to continue to efficiently achieve their investment and trading objectives for equity options on the Exchange.

The Exchange does not believe that the proposed rule change will impose any burden on inter-market competition as the proposal is not competitive in nature. The Exchange expects that all option exchanges will adopt substantively similar proposals for adopting the additional position limit tiers, such that the Exchange's proposal would benefit competition. For these reasons, the Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

IV. Summary of Comments Received

The Commission received comments regarding the proposed rule change, which expressed support for the proposal.[64] One commenter states that higher position and exercise limits for IBIT options would ''allow market participants to more effectively hedge their positions, improve market depth, and facilitate tighter bid-ask spreads, all of which are critical to a well-functioning market.'' [65] The commenter further states that the high level of trading activity in IBIT options demonstrates significant demand from both retail and institutional participants, and that the proposed increases to the position and exercise limits for IBIT options ''reflect the evolving dynamics of the crypto options market and ensure that regulatory frameworks are aligned with market realities.'' [66] Another commenter states that the current position and exercise limits for IBIT options are restrictive and that increased position and exercise limits will lead to a more liquid and competitive market for IBIT options.[67] The commenter also states that the proposed increases will allow market makers to maintain liquidity commensurate with the continued high consumer demand for IBIT options.[68] Another commenter states that the relatively low position and exercise limits for IBIT options constrain the size of ETFs that provide hedged exposure to IBIT to a level well below investor demand for such exposure.[69] The commenter states that many investors are seeking hedged access to IBIT because they are unwilling to take on the extreme volatility of IBIT.[70]

V. Proceedings To Determine Whether To Approve or Disapprove SR–ISE–2024–62, as Modified by Amendment No. 1, and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [71] to determine whether the proposed rule change, as modified by Amendment No. 1, should be approved or disapproved. Institution of such 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 any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to

[61] The Exchange may add to the Penny Program a newly listed option class provided that (i) it is among the 300 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in its first full calendar month of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the month after it qualifies and will remain in the Penny Program for one full calendar year, after which it will be subject to the Annual Review described in Supplementary Material .01(b) to Options 3, Section 3. The Exchange may add any option class to the Penny Program, provided that (i) it is among the 75 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in the past six full calendar months of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the second full month after it qualifies and will remain in the Penny Program for the rest of the calendar year, after which it will be subject to the Annual Review as described in Supplementary Material .01(b) to Options 3, Section 3. *See* Supplementary Material .01 to ISE Options 3, Section 3.

[62] *See* Securities Exchange Act Release No. 88532 (April 1, 2020), 85 FR 19545, 19548 (April 7, 2020) (File No. 4–443) (Joint Industry Plan; Order Approving Amendment No. 5 to the Plan for the Purpose of Developing and Implementing Procedures Designed To Facilitate the Listing and Trading of Standardized Options To Adopt a Penny Interval Program) (''Penny Approval Order'').

[63] *Id.* at 19548.

[64] *See* letter from Joanna Mallers, Secretary, FIA Principal Traders Group (''FIA PTG''), dated Jan. 27, 2025 (''FIA PTG Letter''); Matt McFarland, Senior Vice President, Capital Markets, Vest Financial, dated Jan. 27, 2025 (''Vest Letter''); and Steve Crutchfield, Head of Business Development, Chicago Trading Company (''CTC''), dated Jan. 9, 2025 (''CTC Letter'').

[65] CTC Letter at 2.

[66] CTC Letter at 1.

[67] *See* FIA PTG Letter at 1.

[68] *See* FIA PTG Letter at 1–2.

[69] *See* Vest Letter at 1.

[70] *See* Vest Letter at 3.

[71] 15 U.S.C. 78s(b)(2)(B).

provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[72] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to consider the comments received and to allow for additional analysis of, and input from commenters with respect to, the proposed rule change's consistency with the Act, and in particular, Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities 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.[73]

Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization that proposed the rule change.'' [74] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[75] and any failure of a self-regulatory organization to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[76] The Commission is instituting proceedings to allow for additional consideration and comment on the issues raised herein, including as to whether the proposal is consistent with the Act. In particular, the Commission asks commenters to address the potential market impacts of the proposed position and exercise limits.

VI. Procedure: 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 proposal, as modified by Amendment No. 1. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations 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.[77]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by April 10, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 24, 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–ISE–2024–62 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–ISE–2024–62. 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–ISE–2024–62 and should be submitted on or before April 10, 2025. Rebuttal comments should be submitted by April 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[78]

Vanessa A. Countryman,

Secretary.

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BILLING CODE 8011–01–P

[72] *Id.*

[73] 15 U.S.C. 78f(b)(5).

[74] 17 CFR 201.700(b)(3).

[75] *See id.*

[76] *See id.*

[77] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 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, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[78] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102681; File No. SR–CboeBYX–2025–007]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing of a Proposed Rule Change Relating To Modify Rule 11.24 To Introduce an Enhanced RPI Order and Expand Its Retail Price Improvement Program To Include Securities Priced Below $1.00

March 14, 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 13, 2025, Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') 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 BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') is filing with the Securities and Exchange Commission (''Commission'') a proposal to modify Rule 11.24 to introduce an Enhanced RPI Order and expand its Retail Price Improvement program to include securities priced below $1.00. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/byx/*), 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 Exchange proposes to amend Rule 11.24 to enhance the Exchange's Retail Price Improvement Program (the ''Program'') for the benefit of retail investors. Specifically, the Exchange proposes to introduce a new type of RPI Interest [3] to be known as an ''Enhanced RPI Order.'' The proposed Enhanced RPI Order will allow retail liquidity providers to post orders at their limit price but have the opportunity to provide a greater amount of price improvement as compared to other resting orders on the same side of the BYX Book with higher price-time priority in order to execute with an incoming Retail Order [4] by exercising at a price within their established Step-Up Range instruction.[5] The proposed change is designed to provide retail investors with additional opportunities for meaningful price improvement by introducing a new order type that will ''step-up'' its price against orders with a higher priority resting on the BYX Book.[6] Additionally, the Exchange proposes to expand the Program to securities priced below $1.00.[7]

Background

In November 2012, the Exchange received approval to operate its Program on a pilot basis.[8] The Program operated under a pilot basis until September 30, 2019, when the Program was approved on a permanent basis.[9] In addition, the Exchange was granted a limited exemption from the Sub-Penny Rule, as well as Regulation NMS Rule 602 (Quote Rule) No Action relief [10] to operate the Program.[11] The Program is currently designed to attract Retail Orders to the Exchange and allow such order flow to receive potential price improvement. The Program is currently limited to trades occurring at prices equal to or greater than $1.00 per share.[12] Under the Program, a class of market participant called a Retail Member Organization (''RMO'') [13] is eligible to submit certain retail order flow (''Retail Orders'') to the Exchange. Users [14] are permitted to provide potential price improvement for Retail Orders [15] in the form of non-displayed interest that is better than the national best bid that is a Protected Quotation (''Protected NBB'') or the national best offer that is a Protected Quotation (''Protected NBO'', and together with the Protected NBB, the ''Protected NBBO'').[16]

The Exchange developed this Program with the goal of incentivizing RMOs to execute their Retail Orders on the Exchange, rather than off-exchange venues, by providing Retail Orders with greater access to potential opportunities for price improvement on the Exchange. However, as noted by the Commission, even with the presence of retail liquidity programs (''RLPs'') offered by Cboe and other national securities exchanges,[17] the great majority of marketable orders of retail investors continue to be sent to wholesalers.[18] Indeed, as noted in the Commission's recent rule proposal related to minimum pricing increments, RLPs have not yet attracted a significant volume of retail

[3] *See* proposed Rule 11.24(e). RPI Interest means an order submitted to the Exchange that is designated as either an RPI Order or an Enhanced RPI Order. *See also* Rule 11.24(a)(3) (''Retail Price Improvement Order'').

[4] *See* Rule 11.24(a)(2) (''Retail Order'').

[5] *See* proposed Rule 11.24(a)(4).

[6] *See* Rule 1.5(e) (''BYX Book''). The ''BYX Book'' is the System's electronic file of orders. The ''System'' shall mean the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution, and when applicable, routing away. *See* Rule 1.5(aa) (''System'').

[7] *See* Rule 11.24(h). The Program is currently limited to trades occurring at prices equal to or greater than $1.00 per share.

[8] *See* Securities Exchange Act Release No. 68303 (November 27, 2012), 77 FR 71652 (December 3, 2012), SR–BYX–2012–019 (''Pilot Approval Order'').

[9] *See* Securities Exchange Act Release No. 87154 (September 30, 2019), 84 FR 53183 (October 4, 2019), SR–CboeBYX–2019–014 (''RPI Approval Order'').

[10] *See* Letter from David Shillman to Eric Swanson (November 27, 2012) (''No Action Letter''), available at *https://www.sec.gov/divisions/marketreg/mr-noaction/byx-112712-602.pdf.*

[11] *Supra* note 9 at 53185.

[12] *Supra* note 7. The Exchange will periodically notify the membership regarding the securities included in the Program through an information circular. The Exchange is proposing to make the Program available to all securities (discussed *infra*).

[13] *See* Rule 11.24(a)(1). A ''Retail Member Organization'' or ''RMO'' is a Member (or a division thereof) that has been approved by the Exchange under Rule 11.24 to submit Retail Orders.

[14] *See* Rule 1.5(cc). A ''User'' is defined as any member or sponsored participant of the Exchange who is authorized to obtain access to the System.

[15] *Supra* note 4. A ''Retail Order'' is defined as an agency or riskless principal order that originates from a natural person and is submitted to the Exchange by an RMO, provided that no change is made to the terms of the order with respect to price or side of market and the order does not originate from a trading algorithm or any computerized methodology.

[16] *See* Rule 1.5(t). The term ''Protected Quotation'' has the same meaning as is set forth in Regulation NMS Rule 600(b)(71). The terms Protected NBB and Protected NBO are defined in BYX Rule 1.5(s). The Protected NBB is the best-priced protected bid and the Protected NBO is the best-priced protected offer. Generally, the Protected NBB and Protected NBO and the national best bid (''NBB'') and national best offer (''NBO'', together with the NBB, the ''NBBO'') will be the same. However, a market center is not required to route to the NBB or NBO if that market center is subject to an exception under Regulation NMS Rule 611(b)(1) or if such NBB or NBO is otherwise not available for an automatic execution. In such case, the Protected NBB or Protected NBO would be the best-priced protected bid or offer to which a market center must route interest pursuant to Regulation NMS Rule 611.

[17] *See, e.g.*, NYSE Retail Liquidity program, which promotes cost savings through price improvement for individual investors provided by retail liquidity providers that submit non-displayed interest priced better than the best protected best bid or protected best offer. *See* also NYSE National Retail Liquidity program, which seeks to attract retail order flow to the Exchange through the potential of price improvement at the midpoint or better. Available at *https://www.nyse.com/markets/liquidity-programs. See also* IEX Retail Program, which incentivizes midpoint liquidity for retail orders through the use of retail liquidity provider orders. Available at *https://www.iexexchange.io/products/retail-program. See also* Nasdaq BX Retail Price Improvement, which allows retail orders to interact with price-improving liquidity. Available at *https://www.nasdaqtrader.com/content/BXRPIfs.pdf.*

[18] *See* Securities Exchange Act Release No. 96495 (December 14, 2022), 88 FR 128 (January 3, 2023) (''Order Competition Rule'') at 144.

order flow.[19] In fact, since RLPs have been adopted, the percentage of on-exchange share volume has continued to decrease from approximately 71% to approximately 49% as of December 2024.[20]

Accordingly, the Exchange believes further enhancements to the Program are necessary in order to attract a meaningful volume of marketable retail order flow to the Exchange. In considering how to accomplish the goals of the Program, the Exchange determined to design an enhancement to provide more meaningful levels of price improvement provided to Retail Orders relative to the price improvement provided by both the Program as well as off-exchange venues.

As noted by the Commission, there are reasonable concerns with the price improvement provided to retail orders executed off-exchange by wholesale broker-dealers. In short, the Commission itself has stated that ''the current isolation of individual investor orders from order-by-order competition results in suboptimal price improvement for such orders.'' [21] The Commission believes that the lack of order competition for retail orders leads to ''foregone price improvement'' or ''competitive shortfall,'' [22] which for the first quarter of 2022, the Commission quantified to be as much as $1.5 billion.[23]

In determining how to better design its Program in order to attract retail order flow back to the Exchange, the Exchange conducted research into the amount of price improvement provided to Retail Orders on BYX. The Exchange found that RPI Orders under its current Program provided an average $0.0013 per share of price improvement to Retail Orders in 2024. A more thorough review of BYX data found that the amount of price improvement provided to Retail Orders solely by RPI Orders under the current Program on BYX is lower than the amount of price improvement provided to Retail Orders by all hidden liquidity on BYX (including RPI Orders). An analysis of BYX data found that Retail Orders received an average of $0.0033 per share of price improvement and a total amount of approximately $1.68 million in 2024 when executing against all hidden liquidity on BYX (including RPI Orders).[24] The Exchange's analysis of price improvement statistics found that its current RPI Orders provide, on average, less price improvement to Retail Orders than other hidden liquidity on BYX. As such, the Exchange believes that revising its Program to include an optional order instruction (discussed *infra*) designed to provide meaningful price improvement to Retail Orders as compared to the price improvement both currently received under the existing Program as well as through hidden, non-displayed liquidity available on the Exchange against which Retail Orders currently trade with today, will encourage retail order flow to execute on a regulated market as opposed to off-exchange venues.

Accordingly, the Exchange now seeks to enhance its current Program by offering retail liquidity providers an optional Enhanced RPI Order. The Exchange believes the Enhanced RPI Order will incentivize additional retail liquidity provision by enabling RPI liquidity providers to submit an order that is ranked at a lower (for buy orders) or higher (for sell orders) price than the Step-Up Range instruction at which the provider is willing to execute, but have the opportunity to ''step up'' to provide a greater amount of price improvement as compared to other higher priority resting orders on the same side of the BYX Book in order to execute with an incoming contra-side Retail Order. As discussed in more detail below, the Enhanced RPI Order will have the ability to gain price priority over same-side resting orders on the BYX Book in exchange for offering meaningful price improvement when a contra-side Retail Order is submitted to the Exchange and certain conditions are met. With the deeper pool of retail liquidity-providing orders, the Exchange believes that RMOs will see increased opportunities for on-exchange price improvement and seek to execute more of their Retail Orders on the Exchange.

Proposal

The Exchange proposes to amend Rule 11.24(a) to include Rule 11.24(a)(4), which defines the proposed Enhanced RPI Order. The proposed Enhanced RPI Order allows a retail liquidity provider to post a limit order to the Exchange, but also provides the opportunity for the liquidity provider to ''step-up'' its price within a defined Step-Up Range instruction and have the ability to gain price priority by providing a greater amount of price improvement as compared to orders with higher priority that are resting on the same side of the BYX Book in order to execute against an incoming Retail Order seeking to remove liquidity. An Enhanced RPI Order is designed to be entered with a limit price, but must also include a Step-Up Range instruction, which is the highest (for buy orders) or lowest (for sell orders) price it is willing to execute against a contra-side Retail Order. If the Enhanced RPI Order includes a Step-Up Range instruction that improves against the price of the highest-ranked resting order on the same side of the BYX Book, the Enhanced RPI Order will be given price priority over the highest-ranked resting order, subject to certain conditions discussed *infra.* In order for an Enhanced RPI Order to receive price priority, the Enhanced RPI Order must be able to provide a greater amount of price improvement to an incoming contra-side Retail Order than would otherwise be available by stepping up to the next full cent for securities priced at or above $1.00 and to the next minimum price increment for securities priced below $1.00.[25]

The Exchange believes this proposed change would further the purpose of the Program to attract retail marketable order flow to the Exchange, while also increasing opportunities for price improvement. By offering the Enhanced RPI Order, the Exchange has created an enhancement to its current Program that offers a greater incentive for liquidity providers to provide liquidity eligible to execute against marketable retail order flow on the Exchange. The Enhanced RPI Order would allow Users to post orders at their limit price but step up or down to a higher price (for buy orders) or lower price (for sell orders) in order to execute against marketable retail order flow that is less prone to adverse selection.[26] Marketable retail order flow, in turn, would receive price improvement greater than what is currently available under the Program.

[19] *See* Securities Exchange Act Release No. 96494 (December 14, 2022), 87 FR 80266 (December 29, 2022) (''Tick Size Proposal'') at 80273.

[20] Source: Cboe internal data.

[21] *Supra* note 18 at 9.

[22] *Supra* note 18 at 10.

[23] *Id.*

[24] *Supra* note 20.

[25] Generally, an Enhanced RPI Order is expected to provide $0.01 of price improvement in order to gain price priority over same-side resting orders on the BYX Book, but the Exchange notes that the minimum amount of required price improvement will vary between $0.001 and $0.01, based on the order types resting on the BYX Book. In certain instances, Enhanced RPI Orders in securities priced at or above $1.00 may only need to step up to the NBBO midpoint or from the NBBO midpoint to the next full cent in order to provide meaningful price improvement and gain price priority over same-side resting orders on the BYX Book (discussed *infra*).

[26] Adverse selection is the phenomenon where the price of a stock drops right after a liquidity provider purchases the stock. Marketable retail order flow is generally seen as more desirable by institutional liquidity providers as executions against retail orders are less prone to adverse selection. The Commission has previously opined that retail liquidity programs may be beneficial to institutional investors as they may be able to reduce their possible adverse selection costs by interacting with retail order flow. *See* Pilot Approval Order at 71656.

The Exchange believes that the proposed change will lead to increased participation in the Program by Users seeking to provide liquidity for marketable retail order flow, which in turn will attract additional marketable retail order flow to the Exchange in search of price improvement opportunities. While Enhanced RPI Orders may be entered by any User, the Exchange believes that the majority of Enhanced RPI Orders will be entered by or on behalf of institutional investors that are willing to provide additional price improvement as a way to minimize their adverse selection costs.

The Exchange believes that the introduction of the Enhanced RPI Order will complement the existing RPI Order type as it is intended to provide Users with additional, optional functionality that may be utilized when seeking to interact with Retail Orders. The Exchange views the Enhanced RPI Order as a complement to the existing RPI Order because the distinction between the Enhanced RPI Order and the existing RPI Order is simply the addition of the Step-Up Range instruction, which will permit Users to enter an Enhanced RPI Order at a defined limit price but simultaneously permit Users to have the ability to gain price priority over resting same-side orders on the BYX Book in exchange for providing meaningful price improvement. Users will be free to decide whether resting on the BYX Book in order to obtain an execution against a Retail Order at a specific limit price under the current Program is more valuable than submitting an Enhanced RPI Order for a chance at price priority in exchange for meaningful price improvement. Additionally, the Exchange believes that if the Enhanced RPI Order is successful at attracting Retail Orders due to its ability to provide meaningful price improvement, Users will therefore also be interested in submitting RPI Orders in an attempt to interact with Retail Orders that are not filled by Enhanced RPI Orders. The Exchange believes that while certain retail liquidity providers will be incentivized to use the Enhanced RPI Order due to its ability to gain price priority, certain retail liquidity providers will simply want the ability to interact with retail order flow and are not concerned with gaining price priority. If the Enhanced RPI Order is successful in attracting additional retail order flow, Users submitting RPI Orders may also benefit as there is additional liquidity against which their RPI Orders may interact if those Retail Orders are not filled by an Enhanced RPI Order. For these reasons, the Enhanced RPI Order and RPI Order should be viewed as complementary order types and should not be seen as competing with one another. The Exchange does not believe that Users will be less likely to submit RPI Orders simply because an Enhanced RPI Order type is also available, similar to how Users are not dissuaded from submitting traditional limit orders when a Discretionary Order [27] also exists on the Exchange.

In conjunction with introducing Rule 11.24(a)(4), the Exchange proposes to introduce Rule 11.24(a)(5) in order to define the term RPI Interest as either RPI Orders or Enhanced RPI Orders. The Exchange also proposes to amend Rule 11.24(e) in order to more accurately describe when the Retail Liquidity Identifier is displayed. Additionally, the Exchange proposes to amend Rule 11.24(g) by removing the examples currently found in the rule text that describe RPI Order priority. The Exchange notes that Rule 11.24(g) will be inclusive of both RPI Order priority and Enhanced RPI Order priority and as such the example currently contained within Rule 11.24(g) is no longer necessary as it is explained more thoroughly in the proposed rule text. The Exchange also proposes to make corresponding changes within Rule 11.24 to replace certain references to RPI Order with the term RPI Interest in order to have language inclusive of both RPI Orders and Enhanced RPI Orders. Further, the Exchange proposes to delete Rule 11.24(h), as the Exchange proposes to expand the Program to securities priced below $1.00. The Exchange will announce that the RPI Program has expanded to all securities in a Trade Desk notice, and periodic updates will no longer be required. The Exchange also proposes to delete Rule 11.24(i) as it is inapplicable to Retail Orders on the Exchange and was inadvertently added to the rule text. Finally, the Exchange proposes to clarify throughout Rule 11.24 that RPI Orders and Enhanced RPI Orders will be ineligible to execute at prices equal to or inferior to the Protected NBB or Protected NBO.

Additionally, with the introduction of the Enhanced RPI Order, the Exchange proposes to amend Rule 11.24(a)(2) to permit a Retail Order to be entered as a Mid-Point Peg Order.[28] The Exchange also proposes to amend Rule 11.24(a)(2) to better describe that the time-in-force requirement for all Retail Orders, including those entered as a Mid-Point Peg Order, is required to be Immediate or Cancel (''IOC''). The Exchange believes that allowing the Mid-Point Peg Order instruction on a Retail Order will benefit Users who choose to submit Retail Orders because it will permit a Retail Order to guarantee price improvement at the midpoint or better. The Mid-Point Peg Order instruction will be optional, and not required for Users of Retail Orders.

Current RPI Orders

Rule 11.24(a)(3) currently defines an RPI Order as ''non-displayed interest on the Exchange that is priced better than the Protected NBB or Protected NBO by at least $0.001 and that is identified as such.'' [29] The Exchange now proposes to amend the definition of RPI Order to more accurately reflect when an RPI Order is eligible to execute against a contra-side Retail Order and at what pricing increments RPI Orders may be entered. The Exchange proposes to include text stating that an RPI Order for a security priced at or above $1.00 must be priced at least $0.001 better than the Protected NBB or Protected NBO and may be entered in increments of $0.001. For securities priced below $1.00, an RPI Order must be priced at least $0.0001 better than the Protected NBB or Protected NBO and may be priced in $0.0001 increments. The Exchange believes it is necessary to clarify that an RPI Order may be entered at any price but may execute only at prices better than the Protected NBB or Protected NBO. Additionally, the Exchange notes that an RPI Order that is ineligible to execute due to not being priced at least $0.001 (for securities priced at or above $1.00) or $0.0001 (for securities priced below $1.00) better than the Protected NBB or Protected NBO will not be canceled, but will remain on the BYX Book in case the Protected NBBO moves such that the RPI Order becomes eligible to execute at a later time. Further, the Exchange is proposing to amend Rule 11.24(a)(3) to note that an RPI Order may be entered as a Primary Pegged Order (''RPI Primary Pegged Order''), as defined in Rule 11.9(c)(8)(A) and the ranked price of an RPI Primary Pegged Order will be the price of the order after the order is pegged to the Protected NBB or Protected NBO and the applicable positive (for buy orders) or negative (for sell orders) offset (''Offset Amount'') is

[27] *See* Rule 11.9(c)(10).

[28] *See* Rule 11.9(c)(9). A Mid-Point Peg Order is a limit order that, after entry into the System, the price of the order is automatically adjusted by the System in response to changes in the NBBO to be pegged to the mid-point of the NBBO, or, alternatively, pegged to the less aggressive of the midpoint of the NBBO or one minimum price variation inside the same side of the NBBO as the order.

[29] *Supra* note 3.

applied.[30] For RPI Primary Pegged Orders priced at or above $1.00, the Offset Amount may be entered in increments of $0.001 and for RPI Primary Pegged Orders priced below $1.00, the Offset Amount may be entered in increments of $0.0001. Additionally, the Exchange proposes to remove references to the ''ceiling or floor'' price and replace that term with ''limit price'' as it more accurately describes the price at which an RPI Primary Pegged Order that will be eligible to interact with a contra-side Retail Order.

As stated in Rule 11.24(a)(3), RPI Orders are non-displayed and are ranked in accordance with Rule 11.12(a). Furthermore, under Rule 11.24(g), competing RPI Orders in the same security are ranked and allocated according to price then time of entry into the System. Executions occur in price/time priority in accordance with Rule 11.12. Any remaining unexecuted RPI interest remains available to interact with other incoming Retail Orders if such interest is at an eligible price. Any remaining unexecuted portion of the Retail Order will cancel or execute in accordance with Rule 11.24(g). The following example illustrates this method:

- Protected NBBO for security ABC is $10.00–$10.05
- User 1 enters an RPI Order to buy ABC at $10.015 for 500 shares
- User 2 then enters an RPI Order to buy ABC at $10.02 for 500 shares
- User 3 then enters an RPI Order to buy ABC at $10.035 for 500 shares

An incoming Retail Order to sell ABC for 1,000 shares executes first against User 3's bid for 500 shares at $10.035, because it is the best priced bid, then against User 2's bid for 500 shares at $10.02, because it is the next best priced bid. User 1 is not filled because the entire size of the Retail Order to sell 1,000 shares is depleted. The Retail Order executes against RPI Orders in price/time priority.

The Exchange proposes to amend Rule 11.24(f)(2) to provide that RPI Orders are ineligible to execute at prices equal to or inferior to the Protected NBB or Protected NBO. Currently, a resting RPI Order is eligible to execute against a Type 2-designated Retail Order (a ''Type 2 Order'') [31] that has exhausted all price improving liquidity on the BYX Book even if the RPI Order is not providing price improvement, as a Type 2 Order is eligible to execute against all marketable liquidity once the order has interacted with all price improving liquidity. In the event that an RPI Order is ineligible to execute against a Type 2 Order because it is not providing at least $0.001 of price improvement in securities priced at or above $1.00 or at least $0.0001 of price improvement in securities priced below $1.00, the Exchange will not cancel the resting RPI Order. Rather, the RPI Order will persist on the BYX Book and will become eligible to execute should the Protected NBB or Protected NBO move to a price that permits the RPI Order to provide price improvement. The proposed change to RPI Order behavior is being made in order to limit RPI Orders to only providing executions that provide price improvement to contra-side Retail Orders, consistent with the definition of an RPI Order and the description of RPI Order functionality in the Exchange's previous Pilot Approval Order and RPI Approval Order.

Enhanced RPI Order

The Exchange now proposes to introduce an Enhanced RPI Order that Users seeking to provide RPI liquidity may utilize on an optional basis. The proposed Enhanced RPI Order will be eligible to obtain price priority over resting orders in the same security on the same side of the BYX Book in order to execute against a Retail Order by including a Step-Up Range instruction when entered. Enhanced RPI Orders will be ranked in accordance with proposed Rule 11.24(g)(2) (discussed *infra*). In order to effect the proposed change, the Exchange proposes to introduce Rule 11.24(a)(4), which would define an Enhanced RPI Order as:

- An ''Enhanced Retail Price Improvement Order'' or ''Enhanced RPI Order'' is an RPI Order that is designated with a Step-Up Range instruction. A Step-Up Range instruction is an optional, non-displayed instruction that is added to (for buy orders) or subtracted from (for sell orders) the ranked price of an RPI Order and provides a maximum execution price (for buy orders) or minimum execution price (for sell orders) at which a User is willing to execute against contra-side Retail Orders. The Step-Up Range instruction may be priced in increments of $0.001 for securities priced at or above $1.00 and securities priced below $1.00.
- An Enhanced RPI Order may be entered as a limit order, in a sub-penny increment with an explicit limit price, or as a Primary Pegged Order (as defined in Rule 11.9(c)(8)(A)) with an Offset Amount. An Enhanced RPI Order is ranked at its limit price and not the price of its Step-Up Range instruction.
- An Enhanced RPI Order that is also a Primary Pegged Order (''Enhanced RPI Primary Pegged Order'') will have its ranked price determined after the application of the Offset Amount, as described in Rule 11.9(c)(8) and Rule 11.9(c)(8)(A). The Step-Up Range instruction of an Enhanced RPI Primary Pegged Order will be applied to the resulting ranked price following the application of the Offset Amount and may cause the Enhanced RPI Primary Pegged Order to execute at a price that is higher (for buy orders) or lower (for sell orders) than its limit price. An Enhanced RPI Primary Pegged Order priced at or above $1.00 may have its Offset Amount entered in pricing increments of $0.001. An Enhanced RPI Primary Pegged Order priced below $1.00 may have its Offset Amount entered in pricing increments of $0.0001.
- The System will monitor whether an Enhanced RPI Order, adjusted by any applicable Offset Amount, the order's Step-Up Range instruction, and the order's limit price, is eligible to interact with incoming Retail Orders. An Enhanced RPI Order (including any applicable Offset Amount, the Step-Up Range instruction, and the limit price) remains non-displayed in its entirety. Any User is permitted, but not required, to submit an Enhanced RPI Order. An Enhanced RPI Order may be an odd lot, round lot or mixed lot. An Enhanced RPI Order shall have priority as described in Rule 11.24(g). An Enhanced RPI Order is ineligible to execute at prices equal to or inferior to the Protected NBB (for buy orders) or Protected NBO (for sell orders). An Enhanced RPI Order that is ineligible to execute because it is priced equal to or inferior to the Protected NBB (for buy orders) or Protected NBO (for sell orders) will not be cancelled and will become eligible to execute against Retail Orders should the Enhanced RPI Order becomes executable at a later time.

The ranked price of an Enhanced RPI Order will be determined by a User's entry of the following into the

[30] A Primary Pegged Order is a limit order that has its price automatically adjusted by the System to the Protected NBB or Protected NBO and any applicable positive or negative offset is applied to the price that results after the System pegs the order to the Protected NBB or Protected NBO.

[31] *See* Rule 11.24(f)(2). A Type 2-designated Retail Order will interact first with available price improving RPI Orders and other price improving liquidity and then any remaining portion of the Retail Order will be executed as an IOC Order pursuant to Rule 11.9(b)(1). A Type 2-designated Retail Order can either be submitted as a BYX Only Order or as an order eligible for routing pursuant to Rule 11.13(a)(2). The Exchange proposes to make clear in Rule 11.24(f)(2) that the remaining portion of a Type 2-designated Retail Order will be ineligible to execute against contra-side RPI Interest that is not priced better than the Protected NBB or Protected NBO.

Exchange: (1) Enhanced RPI buy or sell interest; (2) any applicable offset; (3) the Step-Up Range instruction; and (4) the limit price. The Step-Up Range instruction of an Enhanced RPI Order is the maximum amount above the order's limit price (for buy orders) or minimum amount below the order's limit price (for sell orders) at which a User is willing to execute. As discussed *infra,* if the Enhanced RPI Order can improve upon resting liquidity on the same side of the BYX Book by stepping up to the nearest full cent (for securities priced at or above $1.00) or the next minimum pricing increment (for securities priced below $1.00),[32] it will receive price priority over the resting liquidity on the BYX Book. An Enhanced RPI Order, however, will not improve upon the price of another resting Enhanced RPI Order to receive price priority.[33]

Pursuant to proposed Rule 11.24(g)(2), Enhanced RPI Orders in securities priced at or above $1.00 may include a Step-Up Range instruction priced in $0.001 increments, but these orders shall not gain priority over other same-side resting orders on the BYX Book if the Step-Up Range instruction is unable to step up to the NBBO midpoint or the next full cent. Step-Up Range instructions priced in increments finer than $0.01 will be capped at the maximum executable price based on a valid tick increment or midpoint and will not otherwise be executable at the maximum price of the Step-Up Range instruction.

Priority and Order Allocation

As discussed above, the proposed Enhanced RPI Order will be ranked and allocated according to its limit price then time of entry into the System. With the introduction of the proposed Enhanced RPI Order, the Exchange proposes to reorganize Rule 11.24(g) into Rule 11.24(g)(1)–(3). Proposed Rule 11.24(g) will serve as an introductory paragraph and will contain the existing rule text found in current Rule 11.24(g) that describes order priority with respect to RPI Orders. The Exchange proposes to amend the existing rule text in Rule 11.24(g) to replace RPI Orders with RPI Interest and to clarify that RPI Interest is ineligible to execute at prices that are equal to or inferior to the Protected NBB or Protected NBO. RPI Interest that is ineligible to execute due to being priced equal to or inferior to the Protected NBB or Protected NBO will not be cancelled and will become eligible to execute against Retail Orders should the RPI Interest become priced better than the Protected NBB or Protected NBO at a later time. The Exchange proposes to remove the example of RPI Order priority contained within current Rule 11.24(g) as it is duplicative of existing rule text which describes that RPI Orders are to be ranked and executed in accordance with Rule 11.12 and also as described in Rule 11.24(g), as applicable. Proposed Rule 11.24(g) will also provide that Enhanced RPI Orders have the ability to gain execution priority over resting same-side orders on the BYX Book with higher price/time priority in the same security if certain criteria is satisfied.

Proposed Rule 11.24(g)(1) describes three instances in which the Step-Up Range instruction of an Enhanced RPI Order will be utilized to determine at what price an Enhanced RPI Order must execute versus a contra-side Retail Order in order to gain price priority over resting same-side orders on the BYX Book with higher price/time priority in the same security. Pursuant to proposed Rule 11.24(g)(1)(A), the Step-Up Range instruction of an Enhanced RPI Order will be utilized when the Step-Up Range instruction is needed to gain priority over a resting same-side order (excluding resting Enhanced RPI Orders, unless there are multiple Enhanced RPI Orders as discussed *infra*) on the BYX Book with higher price/time priority. As discussed *infra* in proposed Rule 11.24(g)(2) and proposed Rule 11.24(g)(3), an Enhanced RPI Order shall gain priority over resting same-side orders on the BYX Book with higher price/time priority in the same security if the Step-Up Range instruction is able to provide a greater amount of price improvement to an incoming contra-side Retail Order than would be provided by the resting same-side order on the BYX Book.

Second, under proposed Rule 11.24(g)(1)(B), the Step-Up Range instruction of an Enhanced RPI Order will be utilized in situations where: (i) a contra-side Retail Order to sell (buy) is entered at a higher (lower) price than the ranked price (*i.e.,* its limit price) of the Enhanced RPI Order and all other resting liquidity and (ii) the Enhanced RPI Order's Step-Up Range instruction is priced equal to or higher (lower) than the Retail Order's limit price. In this scenario, an Enhanced RPI Order will execute versus a contra-side Retail Order at the Retail Order's limit price. This situation is also applicable to an Enhanced RPI Order that is also a Primary Pegged Order. The limit price of an Enhanced RPI Order that is also a Primary Pegged Order will be adjusted by any applicable offset and the Step-Up Range instruction applied to the resulting ranked price.

Lastly, as described in proposed Rule 11.24(g)(1)(C), the Step-Up Range instruction of an Enhanced RPI Order will be utilized to determine order book priority when multiple Enhanced RPI Orders are resting on the BYX Book and are eligible to trade ahead of resting same-side orders on the BYX Book with higher price/time priority that are not Enhanced RPI Orders. Priority will be given to the Enhanced RPI Order with the Step-Up Range instruction that could result in the highest (for an Enhanced RPI Order to buy) or lowest (for an Enhanced RPI Order to sell) possible execution price for the contra-side Retail Order, even if the resulting execution does not occur at the highest (lowest) maximum execution price that is permitted by the Step-Up Range instruction. The actual execution price provided to the Retail Order will be the price the Enhanced RPI Order needs to step up to as described in proposed Rule 11.24(g)(1)(A) and proposed Rule 11.24(g)(1)(B).

Proposed Rule 11.24(g)(1)(C)(i) describes an exception to utilizing the Step-Up Range instruction in order to determine order book priority and applies when there are multiple Enhanced RPI Orders resting on the BYX Book, no other resting same-side liquidity with higher priority, and an incoming Retail Order to sell (buy) is priced lower (higher) than the resting Enhanced RPI Orders' ranked prices. In this instance, execution priority will be determined by the higher ranked price and not the Step-Up Range instruction of the Enhanced RPI Orders. An Enhanced RPI Primary Pegged Order will have its priority determined by the ranked price that results after the application of the Offset Amount as described in Rule 11.9(c)(8) and Rule 11.9(c)(8)(A) and will not include the Step-Up Range instruction. The Enhanced RPI Orders will execute pursuant to Rule 11.12 in standard price/time priority according to their limit prices or resulting ranked prices after application of the applicable positive or negative offset in the case of Enhanced RPI Primary Pegged Orders.

Proposed Rule 11.24(g)(2) provides that for securities priced at or above $1.00 an Enhanced RPI Order shall gain

[32] *Supra* note 25. There are certain instances in which an Enhanced RPI Order may only need to provide between $0.001–$0.005 in price improvement in securities priced at or above $1.00 in order to gain price priority over resting liquidity on the BYX Book.

[33] The Exchange plans to submit a request for an exemption under Regulation NMS Rule 612 that would permit it to accept and rank non-displayed RPI Interest. As will be outlined in the request, the Exchange has received an exemption from Rule 612 for the current Program, but believes it is appropriate to renew its request as the Program seeks to introduce Enhanced RPI Orders even as the fundamental nature of the Program is not changing.

priority over resting same-side orders on the BYX Book with higher price/time priority in the same security if the Step-Up Range instruction is able to provide a greater amount of price improvement to an incoming contra-side Retail Order, as provided for in proposed Rule 11.24(g)(1)(A)–(C). In order to gain priority over resting same-side orders on the BYX Book with higher price/time priority in the same security, an Enhanced RPI Order must be able to step up to the next valid tick increment. Proposed Rules 11.24(g)(2)(A)–(C) provide certain scenarios where an Enhanced RPI Order may only need to provide a half cent of price improvement or less in order to gain priority over resting same-side orders on the BYX Book with higher price/time priority.

Proposed Rule 11.24(g)(2)(A) provides that if the NBBO midpoint is priced in a half-cent increment (*e.g.,* $10.005) and the best-priced resting order on the BYX Book is ranked at the NBBO midpoint (*e.g.,* $10.005), the Enhanced RPI Order's Step-Up Range instruction must permit the Enhanced RPI Order to step up to the next full cent above (for buy orders) or below (for sell orders) the NBBO midpoint (*e.g.,* $10.01 for buy orders or $10.00 for sell orders). Proposed Rule 11.24(g)(2)(B) provides that if the NBBO midpoint is priced in a half-cent increment (*e.g.,* $10.005) and the best-priced resting order on the BYX Book to buy (sell) is ranked at the full cent below (above) the NBBO midpoint (*e.g.,* $10.00 or $10.01), the Enhanced RPI Order's Step-Up Range instruction must permit the Enhanced RPI Order to step up to the NBBO midpoint (*e.g.,* $10.005 or beyond). In the event that an RPI Order priced in an $0.001 increment is resting on the BYX Book, proposed Rule 11.24(g)(2)(C) provides that the Enhanced RPI Order's Step-Up Range instruction must permit the Enhanced RPI Order to step up to the closer of the NBBO midpoint or the next full cent above (for buy orders) or below (for sell orders) the NBBO midpoint in order to gain priority over the resting RPI Order (*e.g.,* an Enhanced RPI Order with a limit price of $10.00 must contain a Step-Up Range instruction of at least $0.005 in order to gain priority over a resting RPI Order with a limit price of $10.001).

Proposed Rule 11.24(g)(3) provides that for securities priced below $1.00, Enhanced RPI Orders shall be granted price priority over resting same-side orders on the BYX Book if the Enhanced RPI Order's Step-Up Range instruction is able to provide a greater amount of price improvement to an incoming contra-side Retail Order by stepping up to the next minimum price increment. The Exchange notes that the System does not support fractional penny quotations or executions priced in $0.00001 increments and finer in securities priced below $1.00 but does support quotations and executions in fractional pennies priced in increments up to $0.0001.

The Exchange has included the examples below to show how order priority with an Enhanced RPI Order will be determined. In the examples below, the Retail Liquidity Identifier (discussed *infra*) is presumed to be displayed unless stated otherwise. Additionally, all Retail Orders described in the examples are presumed to be Type 1-designated Retail Orders [34] unless otherwise specified.

Example 1 [35]

In order to illustrate priority of an Enhanced RPI Order over other Non-Displayed Orders [36] resting on the BYX Book, consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters a Mid-Point Peg [37] order to buy ABC at $10.03 for 100. User 1's order is ranked at $10.025 as the User elected that the Mid-Point Peg order be pegged to the mid-point of the NBBO.
  - User 2 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 2's Step-Up Range instruction is $0.02. User 2's order is ranked at $10.01 and is willing to step-up to a maximum price of $10.03.
  - User 3 enters a Retail Order to sell ABC at $10.00 for 100.
- *Result:* User 3's Retail Order for 100 will execute against User 2's Enhanced RPI Order at $10.03. While User 1's order is ranked at a higher price ($10.025) than User 2's order ($10.01), User 2's order includes a Step-Up Range instruction of $0.02 and is willing to step up to a maximum price of $10.03, which provides additional price improvement to User 3's Retail Order than User 1's Mid-Point Peg Order. As User 2's order provides an additional $0.005 of price improvement over User 1's midpoint price, the Exchange gives priority to User 2's Enhanced RPI Order.

Example 2 [38]

There are two situations in which an Enhanced RPI Order may only need to step-up one-half cent in order to provide meaningful price improvement in securities priced at or above $1.00. First, when the NBBO midpoint is priced in a half cent and the Enhanced RPI Order is stepping up from the half-cent midpoint to the next full cent in order to provide price improvement (see Example 1 above). The second instance occurs when the best-priced resting order on the BYX Book is ranked at a whole cent, and the NBBO midpoint is priced in a half cent increment, the Enhanced RPI Order will only need to step-up to the NBBO midpoint in order to provide meaningful price improvement. Consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters a Non-Displayed Order to buy ABC at $10.02 for 100.
  - User 2 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 2's Step-Up Range instruction is $0.02. User 2's order is ranked at $10.01 and is willing to step up to a maximum price of $10.03.
  - User 3 enters a Retail Order to sell ABC at $10.00 for 100.
- *Result:* User 3's Retail Order for 100 will execute against User 2's Enhanced RPI Order at $10.025. While User 1's order is ranked at a higher price ($10.02) than User 2's order ($10.01), User 2 has included a Step-Up Range instruction of $0.02 on its order and is willing to step up to a maximum price of $10.03 in order to provide additional price improvement as compared to other orders resting on the BYX Book. Even though User 2's order may execute up to a price of $10.03, it only needs to provide one-half cent price improvement over User 1's ranked price of $10.02 in order to provide meaningful price improvement at the midpoint.

Example 3 [39]

In most instances, an Enhanced RPI Order will need to step-up a full penny in order to provide meaningful price improvement. Consider the following:

- The Protected NBBO for security ABC is $10.00 × $10.10.
  - User 1 enters a Non-Displayed Order to buy ABC at $10.03 for 100.

[34] See Rule 11.24(f)(1). A Type 1-designated Retail Order will interact with available contra-side RPI Order and other price improving contra-side interest but will not interact with other available interest in the System that is not offering price improvement or route to other markets. The portion of a Type 1-designated Retail Order that does not execute against contra-side RPI Orders or other price improving liquidity will be immediately and automatically cancelled. The Exchange notes that proposed Rule 11.24(f)(1) will be updated to reflect ''contra-side RPI Interest'' to capture both RPI Orders and Enhanced RPI Orders.

[35] *See* proposed Rule 11.24(g)(1)(A) and Rule 11.24(g)(2)(A).

[36] *See* Rule 11.9(c)(11). A Non-Displayed Order is a market or limit order that is not displayed on the Exchange.

[37] *Supra* note 28.

[38] *See* proposed Rule 11.24(g)(1)(A) and Rule 11.24(g)(2)(B).

[39] *See* proposed Rule 11.24(g)(1)(A).

○ User 2 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 2's Step-Up Range instruction is $0.04. User 2's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.

○ User 3 enters a Retail Order to sell ABC at $10.00 for 100.

• *Result:* User 3's Retail Order for 100 will execute against User 2's Enhanced RPI Order at $10.04. While User 1's order is ranked at a higher price ($10.03) than User 2's order ($10.01), User 2 has included a Step-Up Range instruction of $0.04 on its order and is willing to step up to a maximum price of $10.05 in order to provide additional price improvement as compared to other orders resting on the BYX Book. Even though User 2's order may execute up to a price of $10.05, it only needs to provide one penny of price improvement above User 1's ranked price of $10.03 in order to provide meaningful price improvement.

Example 4 [40]

There may be instances where there is no other liquidity resting on the BYX Book against which the Enhanced RPI Order can step up against. In these instances, the Enhanced RPI Order will trade at its ranked price. Consider the following example.

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.015. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.025.

○ User 2 enters a Retail Order to sell ABC at $10.00 for 100.

• *Result:* User 2's Retail Order for 100 will execute against User 1's Enhanced RPI Order at $10.01 as there are no better-priced orders resting on the BYX Book against which User 1 would need to provide greater price improvement to User 2.

Example 5 [41]

Enhanced RPI Orders will only have priority against other better-priced liquidity resting on the BYX Book in the event that the Enhanced RPI Order can step-up to the next half cent or full cent. In the example below, the Enhanced RPI Order is unable to step up against the best priced order on the BYX Book but is able to step up against an order ranked at the next best price level. Consider the following example:

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters a Non-Displayed Order to buy ABC at $10.04 for 100.

○ User 2 enters a Non-Displayed Order to buy ABC at $10.02 for 100.

○ User 3 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 3's Step-Up Range instruction is $0.03. User 3's order is ranked at $10.01 and is willing to step up to a maximum price of $10.04.

○ User 4 enters a Retail Order to sell ABC at $10.00 for 150.

• *Result:* User 4's Retail Order will execute 100 shares first with User 1's Non-Displayed Order as User 1's Non-Displayed Order has price priority over the orders submitted by Users 2 and 3. While User 3's Enhanced RPI Order includes a Step-Up Range instruction of $0.03 and is willing to execute up to a maximum price of $10.04, the Step-Up Range instruction does not provide greater price improvement for User 4's Retail Order as compared to User 1's Non-Displayed Order and as such, User 3's Enhanced RPI Order does not have priority over User 1's Non-Displayed Order. Once User 4's Retail Order executes against User 1's Non-Displayed Order, 50 shares remain on User 4's Retail Order. User 4's Retail Order will then execute its remaining 50 shares with User 3's Enhanced RPI Order at a price of $10.025. While User 2's Non-Displayed Order is ranked at a higher price ($10.02) than User 3's Enhanced RPI Order ($10.01), User 3's Enhanced RPI Order has a Step-Up Range instruction of $0.03 and is willing to execute up to a maximum price of $10.04 and User 2's Non-Displayed Order does not contain a Step-Up Range instruction. As User 3's Enhanced RPI Order is willing to provide greater price improvement as compared to a better-priced order resting on the same side of the BYX Book, it is given priority over User 2's Non-Displayed Order. User 3's Enhanced RPI Order executes 50 shares against User 4's Non-Displayed Order at a price of $10.025 because it provides one-half cent of price improvement over User 2's ranked price of $10.02.

Example 6 [42]

Enhanced RPI Orders will execute within their Step-Up Range instruction when the incoming Retail Order's price is not executable at the Enhanced RPI Order's ranked price. Consider the following example:

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.03. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.04.

○ User 2 enters a Retail Order to sell ABC at $10.03 for 100.

• *Result:* User 2's Retail Order will execute with User 1's Enhanced RPI Order at $10.03 as the limit price of User 2's Retail Order ($10.03) is within the maximum price provided by User 1's Step-Up Range instruction.

Example 7 [43]

When there are multiple Enhanced RPI Orders resting on the BYX Book, no other same side liquidity with higher priority, and the contra-side Retail Order is priced higher (for buy orders) and lower (for sell orders) than the resting Enhanced RPI Orders' ranked prices, execution priority will be determined by the higher ranked price and not by the Step-Up Range instructions of the Enhanced RPI Orders. Consider the following example:

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.04. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.

○ User 2 enters an Enhanced RPI Order to buy ABC at $10.02 for 100. User 2's Step-Up Range instruction is $0.02. User 2's order is ranked at $10.02 and is willing to step up to a maximum price of $10.04.

○ User 3 enters a Retail Order to sell ABC at $10.00 for 100.

• *Result:* User 3's Retail Order will execute with User 2's Enhanced RPI Order at $10.02 because User 2's Enhanced RPI Order has price priority over User 1's Enhanced RPI Order due to its higher ranked price of $10.02. Given that User 3's Retail Order was priced lower than the resting Enhanced RPI Orders' ranked prices at its time of entry, the Exchange believes that priority should be determined by using the ranked price of the Enhanced RPI Orders resting on the BYX Book at the time of User 3's Retail Order entry.

Example 8 [44]

The Step-Up Range instruction will be used to determine order book priority in situations where: (i) a contra-side Retail Order to sell (buy) is entered at a higher (lower) price than the Enhanced RPI Order's limit price and all other resting liquidity in the same security and (ii) the Enhanced RPI Order's Step-Up Range instruction is priced equal to or higher (lower) than the Retail Order's

[40] *See* proposed Rule 11.24(g).

[41] *See* proposed Rule 11.24(g)(1)(A) and Rule 11.24(g)(2)(A).

[42] *See* proposed Rule 11.24(g)(1)(B).

[43] *See* proposed Rule 11.24(g)(1)(C)(i).

[44] *See* proposed Rule 11.24(g)(1)(B).

limit price. Consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.04. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.
  - User 2 enters a Non-Displayed Order to buy ABC at $10.02 for 100. User 2's order is ranked at $10.02.
  - User 3 enters a Retail Order to sell ABC at $10.03 for 100.
- *Result:* User 3's order will execute with User 1's Enhanced RPI Order at $10.03 because (i) User 3's Retail Order to sell was entered at a higher price than the ranked price of both User 1 and User 2's orders; and (ii) the maximum price provided by the Step-Up Range instruction of User 1's Enhanced RPI Order is higher ($10.05) than the limit price of User 3's Retail Order ($10.03). Even though User 2's ranked price is higher than User 1's ranked price, User 2's order is not marketable against User 3's Retail Order. User 3's Retail Order would otherwise be unable to execute if the Exchange did not look to the price improvement provided by User 1's Step-Up Range instruction to permit an execution between User 1 and User 3.

Example 9 [45]

The Step-Up Range instruction will be used to determine order book priority in situations where multiple Enhanced RPI Orders are resting on the BYX Book and are eligible to trade ahead of higher priority orders resting on the BYX Book. Consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.04. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.
  - User 2 enters an Enhanced RPI Order to buy ABC at $10.02 for 100. User 2's Step-Up Range instruction is $0.02. User 2's order is ranked at $10.02 and is willing to step up to a maximum price of $10.04.
  - User 3 enters a Non-Displayed Order to buy ABC at $10.03 for 100. User 3's order is ranked at $10.03.
  - User 4 enters a Retail Order to sell ABC at $10.03 for 100.
- *Result:* User 4's Retail Order will execute with User 1's Enhanced RPI Order at $10.04 because the Exchange looks to the Step-Up Range instruction to determine order book priority when there are multiple Enhanced RPI Orders resting on the BYX Book that are willing to provide additional price improvement as compared to other orders resting on the BYX Book. While both User 1 and User 2 can execute at a price of $10.04, User 1's Enhanced RPI Order can result in a higher maximum possible execution price (step up range of $0.04; maximum price of $10.05) as compared to User 2's Enhanced RPI Order (step up range of $0.02; maximum price of $10.04). As such, User 1's Enhanced RPI Order is given priority ahead of User 2's Enhanced RPI Order to execute against User 4's Retail Order. In this instance, when there are multiple Enhanced RPI Orders that can provide price improvement to the contra-side Retail Order, the Exchange believes it is appropriate to grant order book priority to the Enhanced RPI Order containing the Step-Up Range instruction that could result in the highest (in the event of a buy order) or lowest (in the event of a sell order) potential maximum execution price, even if the resulting execution does not occur at the highest (lowest) maximum execution price. By granting execution priority to the User who's Enhanced RPI Order results in the highest (lowest) potential maximum execution price, the Exchange is encouraging Users to submit aggressively priced orders. As such, the Exchange believes it is appropriate to give priority to User 1's Enhanced RPI Order in this instance because User 1's Enhanced RPI Order (Step-Up Range instruction of $0.04; maximum price of $10.05) could potentially result in a higher maximum execution price than User 2's Enhanced RPI Order (Step-Up Range instruction of $0.02; maximum price of $10.04) and is therefore willing to provide additional price improvement to Retail Orders as compared to User 2's Enhanced RPI Order.

Example 10 [46]

Enhanced RPI Orders will have price priority over resting RPI Orders (that do not contain a Step-Up Range instruction) on the BYX Book so long as the Step-Up Range instruction of the Enhanced RPI Order is greater than the limit price of the resting RPI order. Consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 1's Step-Up Range instruction is $0.04. User 1's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.
  - User 2 enters an RPI Order to buy ABC at $10.02.
  - User 3 enters a Retail Order to sell ABC at $10.00 for 100.
- *Result:* User 3's Retail Order will execute with User 1's Enhanced RPI Order at a price of $10.025 because User 1's Enhanced RPI Order containing a Step-Up Range instruction allows User 3's Retail Order to receive an additional one-half cent price improvement as compared to the ranked price of User 2's RPI Order. While User 2's RPI Order had a higher ranked price ($10.02) than User 1's Enhanced RPI Order ($10.01), User 2's RPI Order did not contain a Step-Up Range instruction. Given that Enhanced RPI Orders are designed to provide meaningful price improvement against all resting orders on the BYX Book, the Exchange believes this factor favors using the price improvement provided by the Step-Up Range instruction in order to determine priority in situations where there are both resting RPI and Enhanced RPI Orders on the BYX Book. While RPI Orders do provide at least $0.001 of price improvement as compared to the Protected NBBO, Enhanced RPI Orders allow for price improvement to the next valid half cent or full cent as the transaction is priced above $1.00.[47] Thus, using the Step-Up Range instruction to determine priority when RPI Orders are resting on the BYX Book results in an increased amount of price improvement for the contra-side Retail Order.

Example 11 [48]

Enhanced RPI Orders may also improve against displayed orders resting on the BYX Book in order to provide price improvement to a contra-side Retail Order. Consider the following example:

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters an Enhanced RPI Order to buy ABC at $9.99 for 100. User

[45] *See* proposed Rule 11.24(g)(1)(C).

[46] *See* proposed Rule 11.24(g)(1)(A).

[47] The Exchange notes that there may be situations in which an Enhanced RPI Order that is granted order book priority over an RPI Order will provide only $0.001 of price improvement over the RPI Order when stepping up to the next half cent or full cent. For example, the Protected NBBO is $10.00 × $10.05. Assume that a buy-side Enhanced RPI Order for 100 shares has a Step-Up Range instruction to $10.04 and is granted order book priority over a buy-side RPI Order for 100 shares with a limit price of $10.024. A sell-side Retail Order for 100 shares is entered at $10.00. In this instance, the buy-side Enhanced RPI Order steps-up to a price of $10.025 to execute against the sell-side Retail Order. While the Enhanced RPI Order is only providing $0.001 of price improvement as compared to the RPI Order with a limit price of $10.024, the Enhanced RPI Order provides a total of $0.025 of price improvement to the Retail Order as compared to the Retail Order's limit price of $10.00.

[48] *See* proposed Rule 11.24(g)(1)(A).

1's Step-Up Range instruction is $0.06. User 1's order is ranked at $9.99 and is willing to step up to a maximum price of $10.05. The Retail Liquidity Identifier is not displayed as the limit price of $9.99 is below the NBB and the Retail Liquidity Identifier will only display when there is RPI Interest priced at least $0.001 better than the Protected NBB or Protected NBO.

○ User 2 enters a displayed order to buy ABC at $10.00 for 100.

○ User 3 enters a Retail Order to sell ABC at $10.00 for 100.

• *Result:* User 3's Retail Order will execute with User 1's Enhanced RPI Order at a price of $10.01. While User 2's displayed order is displayed and ranked at a higher price ($10.00) than User 1's Enhanced RPI Order ($9.99), User 1's Enhanced RPI Order includes a Step-Up Range instruction of $0.06 on its order, which permits the order to execute up to a maximum price of $10.05. In this instance, executing User 2's displayed order at $10.00 does not provide any price improvement to the Retail Order when User 1's Enhanced RPI Order is resting on the BYX Book and is willing to provide additional price improvement to Order 3 than Order 2 is willing to provide. User 1's Enhanced RPI Order is willing to step up to the next full cent above $10.00 (in this case, $10.01), which provides a full penny of price improvement to User 3's Retail Order., As such, this is the price at which User 3's Retail Order executes with User 1's Enhanced RPI Order.

Example 12 [49]

The ranked price of an Enhanced RPI Primary Pegged Order is the price that results after the application of the Offset Amount, as described in Rule 11.9(c)(8) and Rule 11.9(c)(8)(A). The Step-Up Range instruction is applied to an Enhanced RPI Primary Pegged Order following the application of the Offset Amount. Consider the following example:

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters a Non-Displayed Order to buy ABC at $10.03 for 100.

○ User 2 enters an Enhanced RPI Primary Pegged Order to buy ABC at $10.02 for 100. User 2's Step-Up Range instruction is $0.03. User 2's order includes an offset of $0.01. User 2's order is ranked at $10.01 and is willing to step up to a maximum price of $10.04.

• The Protected NBBO for security ABC changes to $10.01 × $10.05.

○ User 2's Enhanced RPI Primary Pegged Order is now ranked at $10.02 and is willing to step up to a maximum price of $10.05.

○ User 3 enters a Retail Order to sell ABC at $10.01 for 100.

• *Result:* User 3's Retail Order will execute with User 2's Enhanced RPI Order at a price of $10.04 because User 2's Enhanced RPI Order includes a Step-Up Range instruction of $0.03 and is willing to execute up to a maximum price of $10.05 (based on the Protected NBBO and the offset of $0.01 at the time User 3's order is entered) in order to provide additional price improvement as compared to other orders resting on the BYX Book. While User 1's order has a higher limit price ($10.03) than User 2's Enhanced RPI Order ($10.02, based on the Protected NBBO and the offset of $0.01 at the time User 3's order is entered), User 2's Enhanced RPI Order is given queue priority due to its ability to provide $0.01 of price improvement over User 1's order.

Example 13 [50]

Enhanced RPI Orders may also improve upon resting orders that are BYX Post Only Orders in order to provide price improvement to contra-side Retail Orders. Consider the following example:

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters BYX Post Only Order to buy ABC at $10.02 for 100.

○ User 2 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 2's Step-Up Range instruction is $0.04. User 2's order is ranked at $10.01 and is willing to step up to a maximum price of $10.05.

○ User 3 enters a Retail Order to sell ABC at $10.00 for 100.

• *Result:* User 2's Enhanced RPI Order executes against User 3's Retail Order at $10.03. While User 1's BYX Post Only Order is ranked at a higher price ($10.02) than User 2's order, User 2's Enhanced RPI Order is willing to step-up $0.04 over the best-priced resting order to gain queue priority. While User 2 can step-up to a price of $10.05, User 2's Enhanced RPI Order only needs to step-up to a price of $10.03 in order to gain queue priority over User 1's BYX Post Only Order.

Example 14 [51]

Enhanced RPI Orders will also be available for securities priced below $1.00. In order for an Enhanced RPI Order in a security priced below $1.00 to gain queue priority over a same-side resting order, the Enhanced RPI Order must be able to step up to the next minimum price increment. Consider the following example:

• The Protected NBBO for security ABC is $0.2001 × $0.2025.

○ User 1 enters a Non-Displayed Order to buy ABC at $0.2003 for 100.

○ User 2 enters an Enhanced RPI Order to buy ABC at $0.2002 for 100. User 2's Step-Up Range instruction is $0.001. User 2's order is ranked at $0.2002 and is willing to step up to a maximum price of $0.2012.

○ User 3 enters a Retail Order to sell ABC at $0.2001.

• *Result:* User 2's Enhanced RPI Order executes against User 3's Retail Order at a price of $0.2004. While User 1's Non-Displayed Order is ranked at a higher price ($0.2003) than User 2's Enhanced RPI Order ($0.2002), User 2's Enhanced RPI Order included a Step-Up Range instruction of $0.001 and is willing to execute at a price up to $0.2012 in order to gain queue priority. The next minimum price increment above $0.2003 is $0.2004, which is inside User 2's Step-Up Range instruction and as such, User 2's order will have queue priority over User 1's order.

Example 15 [52]

The below example is included to show the proposed change to Rule 11.24(f)(2) that does not permit a Type 2-designated Retail Order to execute against resting RPI Interest that is priced equal to the Protected NBB or Protected NBO.

• The Protected NBBO for security ABC is $10.00 × $10.05.

○ User 1 enters a Non-Displayed Order to buy ABC at $10.02 for 100.

○ User 2 enters an Enhanced RPI Order to buy ABC at $10.00 for 100. User 2's Step-Up Range instruction is $0.03. User 2's order is ranked at $10.00 and is willing to step up to a maximum price of $10.03. The Retail Liquidity Identifier is not displayed because the limit price of User 2's order is not priced at least $0.001 better than the Protected NBB.

○ User 3 enters an RPI Order to buy ABC at $10.00 for 100. The Retail Liquidity Identifier is not displayed because the limit price of User 3's order is not priced at least $0.001 better than the Protected NBB.

○ User 4 enters a Non-Displayed Order to buy ABC at $10.00 for 100.

○ User 5 enters a Type 2-designated Retail Order to sell ABC at $10.00 for 400.

• *Result:* User 2's Enhanced RPI Order executes against User 5's Type 2

[49] *See* proposed Rule 11.24(g)(1)(A).

[50] *See* proposed Rule 11.24(g)(1)(A).

[51] *See* proposed Rule 11.24(g)(1)(A).

[52] *See* proposed Rule 11.24(f)(2); *see also* proposed Rule 11.24(g).

Order for 100 at a price of $10.025 because the best-priced resting order on the BYX Book is ranked at a whole cent ($10.02), and the NBBO midpoint is priced in a half cent increment.[53] User 1's Non-Displayed Order then executes against User 5's Type 2 Order for 100 at a price of $10.02 because User 1's order is priced better than the NBBO.[54] User 4's Non-Displayed Order then executes against 5's Type 2 Order for 100 at a price of $10.00.[55] The remaining 100 shares of User 5's Type 2 Order are then cancelled or routed to an away market based on User 5's instruction. This example demonstrates proposed order priority where a Type 2 Order has a remaining quantity after executing against all price improving liquidity. Under current Rule 11.24(f)(2), order priority would differ in that User 5's Type 2 Order would execute against User 3's RPI Order at $10.00 prior to executing against User 4's Non-Displayed Order due to price/time priority and would leave no remaining quantity to either cancel back or route to an away market.

Example 16 [56]

Step-Up Range instructions priced in increments finer than $0.01 will be capped at the maximum executable price based on a valid tick increment or NBBO midpoint and will not be executable at the maximum price of the Step-Up Range instruction. If a Member chooses to enter a Step-Up Range instruction priced in an increment finer than $0.01, the Member's Enhanced RPI Order may not be able to gain price priority over other same-side resting orders on the BYX Book.

- The Protected NBBO for security ABC is $10.00 × $10.05.
  - User 1 enters a Non-Displayed Order to buy ABC at $10.01 for 100.
  - User 2 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 2's Step-Up Range instruction is $0.01. User 2's order is ranked at $10.01 and is willing to step up to a maximum price of $10.02.
  - User 3 enters an Enhanced RPI Order to buy ABC at $10.01 for 100. User 3's Step-Up Range instruction is $0.013. User 3's order is ranked at $10.01 and is willing to step up to a maximum price of $10.023. User 3's order is subject to a cap at $10.02 because $10.023 is not a valid tick increment and $10.02 is the closest valid tick increment to the maximum price provided by the Step-Up Range instruction.
  - User 4 enters a Retail Order to sell ABC at $10.00 for 100.
- *Result:* User 4's Retail Order will trade with User 2's Enhanced RPI Order at a price of $10.02 because User 3's Enhanced RPI Order is subject to a cap at $10.02 and User 2's Enhanced RPI Order has time priority. While User 3's Enhanced RPI Order included a Step-Up Range instruction of $0.013 and was willing to step up to a maximum price of $10.023, which is greater than User 2's maximum price of $10.02, User 3's Enhanced RPI Order is capped at a price of $10.02 because $10.023 is not a valid tick increment and therefore is not able to execute at a price of $10.023. As both User 2 and User 3 are willing to step up to a maximum price of $10.02, priority is given to User 2's Enhanced RPI Order as it was entered prior to User 3's Enhanced RPI Order.

As demonstrated in the examples above, the Exchange is proposing to grant an Enhanced RPI Order the ability to gain price priority over equal-priced or better-priced resting orders on the BYX Book so long as the Enhanced RPI Order can provide meaningful price improvement over such resting orders. The Exchange believes that allowing liquidity providers to post orders outside of the range at which they are willing to execute yet maintain the opportunity to step-up against resting orders on the same side of the BYX Book in exchange for the ability to gain price priority will incentivize these liquidity providers to provide additional liquidity on the Exchange. As a result of additional, aggressively priced liquidity submitted to the Exchange designed specifically to interact with Retail Orders, RMOs will therefore be incentivized to submit additional retail order flow to the Exchange which has the potential to interact with an Enhanced RPI Order and receive meaningful price improvement.

Retail Liquidity Identifier

The Exchange currently disseminates an identifier pursuant to Rule 11.24(e) when RPI Interest priced at least $0.001 better than the Protected NBB or Protected NBO for a particular security priced at or above $1.00 is available in the System (''Retail Liquidity Identifier'' or ''Identifier''). When there is RPI Interest on the BYX Book that is priced at or below (above) the Protected NBB or Protected NBO, no Retail Liquidity Identifier is disseminated by the Exchange.[57] The Identifier is disseminated through consolidated data streams (*i.e.,* pursuant to the Consolidated Tape Association Plan/Consolidated Quotation Plan, or CTA/CQ, for Tape A and Tape B securities, and the Nasdaq UTP Plan for Tape C securities) as well as through proprietary Exchange data feeds.[58] The Identifier reflects the symbol and the side (buy or sell) of the RPI Interest, but does not include the price or size of the RPI Interest. In particular, CQ and UTP quoting outputs include a field for codes related to the Retail Liquidity Identifier. The codes indicate RPI Interest that is priced better than the Protected NBB or Protected NBO by at least the minimum level of price improvement as required by the Program. The Exchange notes that the Identifier can shift from being disseminated to not disseminated (or vice versa) based on movement in the Protected NBB or Protected NBO without new RPI Interest being entered on the Exchange. Further, the Exchange notes that as the Protected NBB and Protected NBO move, there may be instances where RPI Interest is available on the Exchange but is ineligible to execute due to being priced equal to or below (above) the Protected NBB or Protected NBO. While RMOs may not be aware of potential RPI Interest on the Exchange during these periods, the Exchange does not believe that RMOs are harmed as Retail Orders would be ineligible to execute with RPI Interest that is not priced at least $0.001 above (below) the Protected NBB or Protected NBO. In addition, Retail Orders may continue to be submitted even when the Identifier is not being disseminated and will continue to be eligible to execute against contra-side hidden liquidity that may be priced equal to or above (below) the Protected NBB or Protected NBO, including the Step-Up Range instruction of an Enhanced RPI Order that is priced at least $0.001 above (below) the Protected NBB (NBO) while the ranked price of the Enhanced RPI Order not priced at least $0.001 above (below) the Protected NBB (NBO).

The Exchange proposes to continue to disseminate the Retail Liquidity Identifier in its current form should the

[53] *See* proposed Rule 11.24(g)(1)(A) and proposed Rule 11.24(g)(2)(B).

[54] *See* Rule 11.12(a)(1).

[55] *See* proposed Rule 11.24(a)(3) and proposed Rule 11.24(f)(2).

[56] *See* proposed Rule 11.24(g)(2).

[57] The Exchange notes that RPI Interest may not execute unless it is priced at least $0.001 better than the Protected NBB or Protected NBO in securities priced at or above $1.00 or priced at least $0.0001 better than the Protected NBB or Protected NBO in securities priced below $1.00, as proposed *infra.*

[58] The Exchange notes that the Retail Liquidity Identifier for Tape A and Tape B securities are disseminated pursuant to the CTA/CQ Plan. The identifier is also available through the consolidated public market data stream for Tape C securities. The processor for the Nasdaq UTP disseminates the Retail Liquidity Identifier and analogous identifiers from other market centers that operate programs similar to the RPI Program.

Enhanced RPI Order be approved.[59] For Enhanced RPI Orders, the indicator will be based off of the ranked price only and the Step-Up Range instruction will not be used. The purpose of the Identifier is to provide relevant market information to RMOs that there is available RPI Interest available on the Exchange, thereby incentivizing RMOs to send Retail Orders to the Exchange. The Exchange believes that even in instances where the Identifier is not being disseminated due to RPI Interest not being priced at least $0.001 above (below) the Protected NBB (Protected NBO), RMOs continue to be incentivized to submit Retail Orders to the Exchange due to the fact that Retail Orders continue to be eligible to execute against contra-side hidden liquidity and Enhanced RPI Orders so long as the Step-Up Range instruction associated with an Enhanced RPI Order is priced at least $0.001 above (below) the Protected NBB (Protected NBO). The Exchange proposes to make clear in Rule 11.24(e) that both RPI Orders and Enhanced RPI Orders constitute RPI Interest and that the Retail Liquidity Identifier shall be disseminated when RPI Interest (as defined in proposed Rule 11.24(e)) priced at least $0.001 better than the Protected NBB or Protected NBO for a particular security is available in the System for securities priced at or above $1.00. A separate liquidity identifier that identifies Enhanced RPI Order interest will not be disseminated. For securities priced at or above $1.00, displaying the Retail Liquidity Identifier will provide an indication to RMOs that *at least* $0.001 of price improvement is available in the System, with the opportunity of potentially receiving additional price improvement should the available RPI Interest be in the form of an Enhanced RPI Order.

As discussed below, the Exchange proposes to expand the Program to include securities priced below $1.00. Given that the minimum price variation (''MPV'') of a sub-dollar security is $0.0001,[60] the Exchange is proposing that the Identifier for sub-dollar securities will be displayed when there is RPI Interest with a ranked price at least $0.0001 above (below) the Protected NBB or Protected NBO. Similarly, the Identifier for sub-dollar securities will not be displayed if there is RPI Interest on the BYX Book priced at or below (above) the Protected NBB or Protected NBO. The Exchange will continue to display the Identifier for securities priced at or above $1.00 when there is RPI Interest priced at least $0.001 better than the Protected NBB or Protected NBO. The Exchange will not make any other changes to the display of the Identifier from its current form for sub-dollar securities other than the minimum amount of price improvement required to display the Identifier.

Securities Priced Below $1.00

Rule 11.24(h) currently limits the Program to trades occurring at prices equal to or greater than $1.00 per share and the Exchange periodically notifies Members[61] regarding securities included in the Program through an information circular.[62] Now, the Exchange proposes to expand the Program to all securities, including those priced below $1.00. The rationale behind expanding the Program to all securities regardless of execution price stems from the growth of sub-dollar trading (*i.e.,* trading at prices below $1.00), both on- and off-exchange. As of December 2024, an analysis of SIP[63] data by the Exchange found that sub-dollar average daily volume has increased 564% as compared to first quarter 2019. In this period, sub-dollar on-exchange average daily volume grew from 122 million shares per day to 814 million shares per day. An analysis of SIP and FINRA Trade Reporting Facility (''TRF''),[64] data indicates that exchanges represented approximately 36.5% market share in sub-dollar securities, with a total of 1,286 securities trading below $1.00. As an exchange group, Cboe had approximately 9.8% of market share of sub-dollar securities in the fourth quarter of 2024.

As trading in sub-dollar securities has grown steadily since 2020, the Exchange believes it is appropriate to expand the Program to include securities priced below $1.00. The Exchange notes, however, that the MPV for sub-dollar securities differs from the MPV for securities priced at or above $1.00. As provided for by Regulation NMS Rule 612, for securities priced below $1.00, the MPV is $0.0001, whereas for securities priced at or above $1.00 the MPV is $0.01.[65] The Exchange proposes that in order for an Enhanced RPI Order to gain queue priority ahead of resting orders on the same side of the BYX Book, the Enhanced RPI Order will be stepped-up to the nearest MPV ($0.0001) for securities priced below $1.00. This differs from the treatment of Enhanced RPI Orders for securities priced at or above $1.00, which are proposed to be stepped-up to the nearest full cent ahead of resting orders on the same side of the BYX Book.[66] The Exchange recognizes that there is a distinction between the pricing increment in securities priced at or above $1.00 and securities priced below $1.00, which have a finer minimum pricing increment. As discussed, in securities priced at or above $1.00 the Step-Up Range instruction must be able to step up to the next full cent in order to permit an Enhanced RPI Order to have the ability to gain price priority over resting same-side orders on the BYX Book and requiring Users to have a Step-Up Range instruction priced in $0.001 increments seeks to ensure that meaningful price improvement in securities priced at or above $1.00 is achieved and that the purpose of Regulation NMS Rule 612 is not undermined by allowing non-displayed Step-Up Range instructions to gain price priority for a de minimis amount of price improvement. However, in securities priced below $1.00, the MPV is $0.0001 and as such, the quotations and pricing of orders tends to be in finer increments. By requiring an Enhanced RPI Order's Step-Up Range instruction to step up to the next minimum pricing increment (rather than the full cent as in securities priced at or above $1.00), the Exchange is seeking to stay within the bounds of Regulation NMS and encourage Users to submit competitively-priced orders in RPI Interest submitted to the Exchange. The Exchange believes that Users are not harmed by the distinction in the minimum pricing increment for securities priced at or above $1.00 and securities priced below $1.00 as this

[59] The Exchange plans on submitting a letter requesting assurance from staff of the Division of Trading and Markets that it will not recommend enforcement action to the Commission pursuant to Rule 602 of Regulation NMS (the ''Quote Rule'') with respect to: (1) the Exchange with respect to collecting, processing, and making available to vendors the best bid, best offer, and quotation sizes communicated by members of the Exchange, or (2) liquidity providers entering RPI Interest under the Program.

[60] *See* 17 CFR 242.612 (''Minimum pricing increment'').

[61] *See* Rule 1.5(n). The term ''Member'' shall mean ay registered broker or dealer that has been admitted to membership in the Exchange. A Member will have the status of a ''member'' of the Exchange as that term is defined in Section 3(a)(3) of the Act. Membership may be granted to a sole proprietor, partnership, corporation, limited liability company or other organization which is a registered broker or dealer pursuant to Section 15 of the Act, and which has been approved by the Exchange.

[62] *Supra* note 7.

[63] The ''SIP'' refers to the centralized securities information processors.

[64] Trade Reporting Facilities are facilities through which FINRA members report off-exchange transactions in NMS stocks, as defined in SEC Rule 600(b)(47) of Regulation NMS. See Tick Size Proposal at 80315.

[65] *Supra* note 60.

[66] *Supra* notes 25 and 47.

distinction serves to ensure that Retail Orders receive meaningful price improvement at all price levels.

Currently, all Regulation NMS securities traded on the Exchange priced at or above $1.00 are eligible for inclusion in the Program. The Exchange will announce to its Members via a Trade Desk Notice that the Exchange will no longer provide periodic updates of securities included in the Program as the Program is being expanded to include all Regulation NMS securities traded on the Exchange, regardless of price.

Implementation

The Exchange plans to implement the proposed rule change during the second half of 2025 and will announce the implementation date via Trade Desk Notice.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[67] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[68] 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[69] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission has repeatedly emphasized that the U.S. capital markets should be structured with the interests of retail investors in mind[70] and has recently proposed a series of rules designed, in part, to attempt to bring order flow back to the exchanges from off-exchange trading venues.[71] The Exchange believes its proposed enhancements to the Program are consistent with the Commission's goal of ensuring that the equities markets continue to serve the needs of the investing public. Specifically, introducing the Enhanced RPI Order would protect investors and the public interest by providing retail investors the ability to obtain meaningful price improvement on BYX, a national securities exchange. The Exchange is committed to innovation that improves the quality of the equities markets and believes that the proposed Enhanced RPI Order may increase the attractiveness of the Exchange for the execution of Retail Orders submitted on behalf of the millions of ordinary investors that rely on these markets for their investment needs.

The Exchange believes the proposed Enhanced RPI Order promotes just and equitable principles of trade and is not unfairly discriminatory because the order type will be available for all Users, and is not limited to a certain subset of market participants. Even though Enhanced RPI Orders may be entered by any market participant, the Exchange believes that the majority of Enhanced RPI Orders will be entered by or on behalf of institutional investors that are willing to provide additional price improvement as a way to minimize their adverse selection costs.[72] The Exchange believes that such segmentation is consistent with section 6(b)(5) of the Act, as it does not permit *unfair* discrimination. The Commission has previously stated that the markets generally distinguish between retail investors, whose orders are considered desirable by liquidity providers because such retail investors are presumed to be less informed about short-term price movements, and professional traders, whose orders are presumed to be more informed.[73] The Commission has further stated that without opportunities for price improvement, retail investors may encounter wider spreads that are a consequence of liquidity providers interacting with more informed order flow.[74] The Exchange believes that its proposed Enhanced RPI Order is reasonably designed to attract marketable retail order flow to the exchange as it will help to ensure that retail investors benefit from the better price that liquidity providers are willing to provide to retail orders in exchange for minimizing their adverse selection costs.

Additionally, the Exchange believes that the proposed Enhanced RPI Order type is not unfairly discriminatory to institutional investors as it rewards the User that enters the highest (for buy orders) or lowest (for sell orders) priced Enhanced RPI Order, based on a combination of the order's limit price and Step-Up Range instruction, with order book priority. Ultimately, execution priority amongst orders resting on the BYX Book will be determined by the Step-Up Range instruction entered on each Enhanced RPI Order, subject to certain limitations described above. If the Step-Up Range instruction for an Enhanced RPI Order provides a marketable, contra-side Retail Order with greater price improvement than would otherwise be available from other resting orders by stepping up to the next full cent or (for securities priced at or above $1.00)[75] or the next minimum price increment (for securities priced below $1.00), then the Enhanced RPI Order will be granted order book priority. In the event that multiple Enhanced RPI Orders are resting on the BYX Book, the Enhanced RPI Order with the highest Step-Up Range instruction will be given order book priority. The Exchange believes rewarding the highest (for buy orders) or lowest (for sell orders) priced Step-Up Range instruction will encourage Users to submit Enhanced RPI Orders with Step-Up Range instructions that are likely to provide meaningful price improvement to Retail Orders, which ultimately benefits both retail investors, who will receive price improvement over the NBBO, and the User entering the Enhanced RPI Order, who is able to execute against a marketable Retail Order to minimize its adverse selection costs and interact with retail order flow that they are currently unable to access on the Exchange given that such order flow is largely executed off-exchange.

As noted in the Exchange's initial RPI filings,[76] most equities exchanges, including BYX, determine priority based on a price/time/display allocation model.[77] This has contributed to deep

[67] 15 U.S.C. 78f(b).

[68] 15 U.S.C. 78f(b)(5).

[69] *Id.*

[70] *See* U.S. Securities and Exchange Commission, Strategic Plan, Fiscal Years 2018–2022, available at *https://www.sec.gov/files/SEC_Strategic_Plan_FY18-FY22_FINAL_0.pdf.*

[71] *Supra* notes 18–19. *See also,* Securities Exchange Act Release No. 96496 (December 14, 2022), 88 FR 5440 (January 27, 2023) (''Regulation Best Execution''); Securities Exchange Act Release No. 96493 (December 14, 2022), 88 FR 3786 (January 20, 2023) (''Disclosure of Order Execution Information'').

[72] *Supra* note 26.

[73] *Id.*

[74] *Id.*

[75] *Supra* note 25 and note 47.

[76] *Supra* notes 6–7.

[77] Nasdaq PSX, however, offers a price setter pro rata model that rewards liquidity providers that set the best price and then rewards other market participants that enter larger sized orders. *See* Securities Exchange Act Release No. 72250 (May 23, 2014), 79 FR 31147 (May 30, 2014) (SR–Phlx–2014–24).

and liquid markets for equity securities as liquidity providers compete to be the first to establish a particular price. While the price/time/display allocation model generally works well for institutional investors, retail investors are traditionally not able to compete with market makers and other automated liquidity providers to set an aggressive price on orders submitted to the Exchange. Importantly, retail investors, in contrast to institutional investors, tend to have longer investment time horizons, which means they are not in the business of optimizing queue placement under a time-based allocation model. Therefore, in order to facilitate the needs of retail investors, the Exchange believes an alternative approach—such as this Enhanced RPI Order proposal—would benefit the retail investor community.

As discussed earlier, the proposed introduction of the Enhanced RPI Order is designed to provide retail investors with enhanced opportunities to obtain meaningful price improvement by providing them with potential opportunities to execute versus non-displayed Enhanced RPI Orders that offer price improvement beyond that offered by resting orders on the Exchange. Marketable retail order flow is routinely executed in full on entry at the national best bid or offer or better,[78] but many retail liquidity programs, including the Exchange's current Program, are designed to offer at least $0.001 of price improvement over the Protected NBB or Protected NBO to Retail Orders.[79] By introducing Enhanced RPI Orders, the Exchange is proposing to prioritize Enhanced RPI Orders ahead of other resting orders on the same side of the BYX Book in exchange for the Enhanced RPI Order offering meaningful price improvement to Retail Orders by stepping up to the next full cent or (for securities priced at or above $1.00) [80] or the next minimum price increment (for securities priced below $1.00). The Exchange believes the ability to post an order at a price outside of the range at which it is willing to execute with the ability to gain priority in exchange for executing at a higher (for buy orders) or lower (for sell orders) price will (1) encourage Users to submit more favorably priced Enhanced RPI Orders, and (2) attract Retail Order flow to the Exchange, both of which will benefit all investors. Increased order flow will create a deeper pool of liquidity on the Exchange, which provides for greater execution opportunities for all Users and provides for overall enhanced price discovery and price improvement opportunities on the Exchange. If successful, the proposed rule change would benefit market participants by increasing the diversity of order flow with which they can interact on a national securities exchange, thereby increasing order interaction and contributing to price formation on a regulated market. While RMOs that submit Retail Orders will benefit from increased price improvement opportunities, retail liquidity providers stand to benefit from the Exchange's proposal because by submitting Enhanced RPI Orders with higher (for buy orders) or lower (for sell orders) limit prices and Step-Up Range instructions, their Enhanced RPI Orders have the ability to gain price priority to execute against contra-side Retail Orders in exchange for offering better priced liquidity.

The Exchange also believes that retail liquidity providers that also choose to submit RPI Orders rather than Enhanced RPI Orders stand to benefit from the proposal. As noted, the Exchange believes that the increased depth and diversity of liquidity that will result from this change will increase price improvement opportunities for Retail Orders. As price competition increases, additional Retail Order flow will follow as RMOs seek out price improvement opportunities. Liquidity providers choosing to submit RPI Orders (as opposed to Enhanced RPI Orders) will thus have a higher likelihood of receiving an execution against a Retail Order due to the increased price improvement opportunities, but in order to avail themselves of the opportunity to execute against Retail Orders will need to submit competitively priced RPI Orders in order to compete with Enhanced RPI Orders. The ability to execute against retail order flow may be more attractive to retail liquidity providers than submitting orders with less competitive prices that would potentially not execute at all or would execute against informed order flow, which is less desirable.

Giving queue priority to certain order types is not a novel concept in the securities markets. In fact, on the Exchange's affiliate, Cboe EDGX Exchange, Inc. (''EDGX''), the displayed portion of Retail Priority Orders are given allocation priority ahead of all other available interest on the EDGX Book (''EDGX Retail Priority'').[81] The Commission found that EDGX Retail Priority represented a reasonable effort to enhance the ability of bona fide retail trading interest to compete for executions with orders entered by other market participants that may be better equipped to optimize their place in the intermarket queue.[82] The Exchange believes that grating queue priority to an Enhanced RPI Order as discussed in the Purpose section similarly reflects a reasonable effort by the Exchange to create additional price improvement opportunities for retail investors, as has been the standard identified by the Commission in several approval orders written in regards to RLPs.[83] While the Exchange is not proposing to prioritize Retail Orders as EDGX has done, it is proposing to prioritize Enhanced RPI Orders that provide price improvement and may only interact with contra-side Retail Orders. The Exchange's proposal to prohibit RPI Orders and Enhanced RPI Orders from executing with contra-side Type 2-designated Retail Orders when the RPI Order or Enhanced RPI Order is not priced better than the Protected NBB or Protected NBO similarly reflects an attempt to create additional price improvement opportunities for retail investors by making RPI Orders and Enhanced RPI Orders ineligible from executing when these orders are not providing price improvement to contra-side Type 2-designated Retail Orders. While the Exchange is forgoing an execution at a marketable price in situations where an RPI Order or Enhanced RPI Order is priced equal to the Protected NBB or Protected NBO and there is resting contra-side Type 2 Order interest available, the Exchange believes that limiting RPI Order and Enhanced RPI Order executions to situations where price improvement is offered properly reflects the main purpose of the RPI Order and Enhanced RPI Order—that is, to create additional price improvement opportunities for retail investors.

The Exchange believes that the prioritization of Enhanced RPI Orders that offer meaningful price improvement over other resting orders on the same side of the BYX Book promotes just and equitable principles of trade and is consistent with Section 6(b)(5) of the Act as it encourages Users

[78] A review of internal Exchange data found that 60% of retail orders across the Exchange and its affiliates executed at the NBBO year-to-date in 2023. Similarly, 59% of retail orders across the Exchange and its affiliates executed at the NBBO in calendar year 2022.

[79] *See, e.g.,* IEX Rule 11.232; Nasdaq BX Rule 4780; NYSE National Rule 7.44–E; NYSE Rule 7.44.

[80] *Supra* note 25 and note 47.

[81] *See* EDGX Rule 11.9(a)(2)(A).

[82] *See* Securities Exchange Act Release No. 87200 (October 2, 2019), 84 FR 53788 (October 8, 2019), SR–CboeEDGX–2019–012 (''EDGX Retail Priority Approval Order'').

[83] *Supra* note 9. *See also* Securities Exchange Act Release No. 67347 (July 3, 2012), 77 FR 40673 (July 10, 2012) (SR–NYSE–2011–55; SR–NYSEAmex–2011–84) (''RLP Approval Order'') at 40679.

to submit Enhanced RPI Orders containing high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions in exchange for queue priority ahead of all resting orders on the same side of the BYX Book so long as meaningful price improvement is provided to a contra-side Retail Order. The Exchange proposes to provide queue priority for Enhanced RPI Orders over all other types of orders and is not limiting queue priority to a certain subset of order types. As previously stated, all Users are eligible to submit Enhanced RPI Orders. And while the Exchange believes that most Enhanced RPI Orders will be submitted by or on behalf of professional traders, retail investors will have the opportunity to receive better-priced executions should their executing broker choose to submit a marketable Retail Order to the Exchange. The Exchange believes the introduction of Enhanced RPI Orders will deepen the Exchange's pool of available liquidity, increase marketable retail order flow to the Exchange and provide additional competition for marketable retail order flow, most of which is currently executed off-exchange in the OTC markets. Promoting competition for retail order flow among execution venues stands to benefit retail investors, who may be eligible to receive greater price improvement on the Exchange by interacting with an Enhanced RPI Order than they would if their order was internalized by a broker-dealer on the OTC market. Additionally, retail liquidity providers will benefit from submitting Enhanced RPI Orders and Step-Up Range instructions with competitive prices. By providing Enhanced RPI Orders and Step-Up Range instructions with competitive prices, retail liquidity providers are, in essence, improving the quality of order flow available for contra-side Retail Orders and increasing the odds of their Enhanced RPI Orders executing with desirable retail order flow rather than informed order flow or not executing at all.

Furthermore, the Exchange believes that its proposal to limit the use of the Step-Up Range instruction to determine order book priority is consistent with Section 6(b)(5) of the Act because the use of the Step-Up Range instruction rather than limit price to determine order priority is limited to the following: (1) the Step-Up Range instruction is needed to gain priority over a resting order with higher order book priority; (2) in situations where (i) a contra-side Retail Order to sell (buy) is entered at a higher (lower) price than the Enhanced RPI Order's ranked price and all other resting liquidity in the same security and (ii) the Enhanced RPI Order's Step-Up Range instruction is priced equal to or higher (lower) than the Retail Order's limit price; and (3) to determine order book priority when multiple Enhanced RPI Orders are resting on the BYX Book and are eligible to trade ahead of higher priority orders. The primary use case of the Enhanced RPI Order identified in the first scenario listed above is to provide price improvement to marketable retail order flow. As previously discussed in the Statutory Basis section, the Exchange believes allowing the use of a Step-Up Range instruction in order to provide an additional, higher (for buy orders) or lower (for sell orders) price at which an Enhanced RPI Order may execute is essential in order to deepen the pool of liquidity available to retail investors. In exchange for providing orders with high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions, these liquidity providers will be rewarded with executions against marketable retail order flow, which is generally preferred over more informed order flow. Liquidity providers that choose to submit Enhanced RPI Orders with competitively priced limit prices and/or Step-Up Range instructions stand to benefit in that their orders are positioned to possibly gain price priority over same-side, resting orders on the BYX Book and execute against preferred retail order flow rather than forego an execution by submitting orders that do not contain high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions. Retail investors, on the other hand, will receive meaningful price improvement should their order execute against an Enhanced RPI Order. Increased opportunities for price improvement stand to make the Exchange a more attractive venue for RMOs to submit Retail Orders, thus encouraging RMOs to bring retail order flow back to a regulated, lit market rather than executing off-exchange.

In the situation where (i) a contra-side Retail Order to sell (buy) is entered at a higher (lower) price than the Enhanced RPI Order's limit price and all other resting liquidity in the same security and (ii) the Enhanced RPI Order's Step-Up Range instruction is priced equal to or higher (lower) than the limit price of the Retail Order, the Exchange believes using the Step-Up Range instruction to determine order priority promotes just and equitable principles of trade because it rewards the Enhanced RPI Order with the highest (lowest) Step-Up Range instruction rather than forego an execution due to the limit price of all orders resting on the BYX Book being ineligible to trade with the contra-side Retail Order. The intent of the Enhanced RPI Order is to reward those Enhanced RPI Orders containing high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions with queue priority while simultaneously providing price improvement to Retail Orders. The Exchange believes that determining order priority using the Step-Up Range instruction in this limited situation is aligned with the intent of liquidity providers that choose to submit Enhanced RPI Orders containing high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions and also emphasizes a benefit of using the Enhanced RPI Order—the ability to enter an order at a lower (for buy orders) or higher (for sell orders) price but also provide a Step-Up Range instruction within which the liquidity provider is willing to execute in order to execute against retail order flow rather than forego an execution and remain on the BYX Book. The Exchange seeks to encourage liquidity providers to submit order flow designed to interact with marketable retail order flow in an effort to increase the amount of Retail Order executions occurring on-exchange. By rewarding Enhanced RPI Orders containing high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions in situations where the order would otherwise not execute, the Exchange believes its pool of liquidity available to marketable retail order flow will deepen, thus incentivizing RMOs to submit additional marketable retail order flow to the Exchange.

Likewise, using the Step-Up Range instruction rather than the limit price of an Enhanced RPI Order in situations where multiple Enhanced RPI Orders are resting on the BYX Book and are eligible to trade ahead of higher priority orders promotes the use of the Enhanced RPI Order type as the Exchange seeks to encourage RMOs to submit marketable Retail Orders to the Exchange. Determining order priority of Enhanced Orders based on their Step-Up Range instruction over the limit price of all other higher priority orders rewards the Enhanced RPI Order that provides the highest (for buy orders) or lowest (for sell orders) Step-Up Range instruction. The Exchange believes that using the Step-Up Range instruction

rather than the limit price in situations where there are multiple Enhanced RPI Orders will encourage Users to submit Enhanced RPI Orders containing high (for buy orders) or low (for sell orders) limit prices and/or Step-Up Range instructions to the Exchange, as they will be given priority to interact with more desirable marketable retail order flow based on their Step-Up Range instruction. Additionally, the Exchange believes that RMOs will be encouraged to direct marketable retail order flow to the Exchange knowing that the *worst* price they will receive is $0.001 better than the Protected NBB or Protected NBO for securities priced at or above $1.00[84] and there is potential to receive more meaningful price improvement should an Enhanced RPI Order be present on the opposite side of the BYX Book.[85]

Even in the limited situation where the ranked price of an Enhanced RPI Order is utilized to determine the queue priority of Enhanced RPI Orders (*i.e.,* where multiple Enhanced RPI Orders are resting on the BYX Book and there is no other same-side resting liquidity on the BYX Book with higher priority and an incoming contra-side Retail Order to sell (buy) is priced lower (higher) than the ranked price of the resting Enhanced RPI Orders' ranked prices), Retail Orders stand to benefit. Users submitting Enhanced RPI Orders to the Exchange do so with the intent of interacting with contra-side Retail Orders and as such, are encouraged to submit Enhanced RPI Orders with competitive limit prices, in addition to their Step-Up Range instructions, in an attempt to gain price priority in order to execute against Retail Orders. The Exchange does not view Enhanced RPI Orders as discouraging Users from submitting RPI Orders or devaluing RPI Orders but rather believes that Enhanced RPI Orders are a way to encourage competition from retail liquidity providers as they seek to minimize adverse selection costs and interact with incoming contra-side Retail Orders. With Users contending for executions against incoming retail liquidity, Users submitting Enhanced RPI Orders and RPI Orders naturally would be expected to utilize competitive prices in order to put themselves in the best position to execute against retail liquidity rather than submit orders with prices that are not positioned to potentially execute.

An analysis of internal Exchange data found that the current Program provided approximately $1.6 million in price improvement to retail investors during calendar year 2024,[86] which is a decrease from the $4.5 million provided to retail investors between the two and a half year period between January 2016 and June 2018.[87] In fact, the average amount of price improvement per month provided to retail investors in 2024 was approximately $133,333 while between 2016–2018 the average amount of price improvement provided to retail investors was $150,000 per month. It is reasonable to believe that the proposed Enhanced RPI Order, by virtue of providing at least $0.001 of price improvement in exchange for execution priority, and in many instances $0.005 or $0.01 of price improvement, would add to the Exchange's ability to provide price improvement to retail investors. The Exchange does not believe that offering additional price improvement to retail investors through Enhanced RPI Orders would cause harm to the broader market. On the contrary, the Exchange believes that rewarding Enhanced RPI Orders with order book priority in exchange for price improvement would further the Commission's goal of providing additional opportunities for retail investors to interact directly with a large volume of individual investor orders. The Exchange created the Enhanced RPI Order with the goal of encouraging liquidity providers to submit orders eligible to interact with marketable retail order flow with the competition from these liquidity providers resulting in a reasonable alternative for marketable retail order flow to receive executions at a price better than the Protected NBBO. As the Commission noted in its Order Competition Rule proposal, over 90% of marketable NMS retail stock orders are routed to wholesalers where the orders are not exposed to order-by-order competition.[88] While wholesalers generally achieve price improvement relative to the NBBO, the Commission has indicated that exchanges often have liquidity available at the NBBO midpoint, which would be a more favorable price than a retail order receives when executed by a wholesaler.[89] Here, the Exchange is proposing price improvement of at least $0.001, but in many cases $0.005 or $0.01, which the Exchange believes would further the Commission's goal of ''increasing competition and enhancing the direct exposure of individual investor orders to a broader spectrum of market participants'' as set forth in section 11A of the Exchange Act.[90]

In addition to the proposed introduction of the Enhanced RPI Order, the Exchange also believes that expanding the Program to include securities priced below $1.00 is consistent with Section 6(b)(5) of the Act because it promotes just and equitable principles of trade by allowing liquidity providers to submit orders designed to interact with retail order flow in all securities, rather than only in securities priced at or above $1.00. As stated above, a significant majority of the increased volume in sub-dollar securities comes from executions occurring off-exchange.[91] By permitting the Exchange to expand its Program to include securities priced below $1.00, the Exchange would be a more attractive venue for liquidity providers seeking to interact with retail order flow, which furthers the Commission's goal of bringing retail order executions back on-exchange. Further, the proposal to expand the Program to include securities priced below $1.00 is not unfairly discriminatory because all Users will be able to submit RPI Orders or Enhanced RPI Orders at prices below $1.00. As noted above, the Exchange, along with its affiliates, maintained a market share of 9.8% in sub-dollar securities during the fourth quarter of 2024.[92] The Exchange believes that its expansion of the Program to include sub-dollar securities would lead to more liquidity providers submitting order flow to the Exchange in an attempt to execute against Retail Orders. In turn, RMOs would submit additional Retail Order flow to the Exchange to interact with RPI Orders and Enhanced RPI Orders as there would be additional opportunities for price improvement in sub-dollar securities.

The proposal removes impediments to and perfect the mechanism of a free and open market and a national market system and protects investors and the public interest by allowing executions in Retail Orders priced below $1.00 to receive price improvement by executing against RPI Orders or Enhanced RPI Orders, which are currently only available at prices at or above $1.00. In addition to the changes described above, the Exchange believes that the changes to certain existing rule text within Rule 11.24 is consistent with Section 6(b)(5)

[84] For securities priced below $1.00, the minimum amount of price improvement as compared to the Protected NBB or Protected NBO is $0.0001.

[85] *Supra* note 25 and note 47.

[86] *Supra* note 20.

[87] *See* RPI Approval Order at 53184.

[88] *Supra* note 18 at 178.

[89] *Id.*

[90] *Id.*

[91] *See* ''How Subdollar Securities are Trading Now'' (March 16, 2023). Available at: *https://www.cboe.com/insights/posts/how-subdollar-securities-are-trading-now/.*

[92] *Id.*

of the Act because it provides additional certainty as to how Rule 11.24 is to be applied. The proposed revised definition of RPI Interest in Rule 11.24(a)(5) is necessary in order to capture the proposed Enhanced RPI Order type, in addition to the existing RPI Order. Additionally, amending Rule 11.24(e) and Rule 11.24(f)(1)–(2) to reflect the changes made in Rule 11.24(a)(5) is necessary in order to ensure that RPI Interest is properly defined throughout Rule 11.24. The deletion of Rule 11.24(h) is consistent with the Exchange's proposal to expand the Program to securities priced below $1.00 and the deletion of Rule 11.24(i) is appropriate as it is inapplicable to Retail Orders on the Exchange and was inadvertently added to the rule text. The proposed changes to Rule 11.24(a)(2) are intended to insert a reference to Rule 11.9(b)(1) describing Immediate or Cancel Orders and introduce the ability for Users to submit Retail Orders as Mid-Point Peg Orders, both of which changes serve to provide additional guidance to Users of Retail Orders about the order modifiers permitted by the Exchange. The Exchange believes these changes are intended to facilitate usage of RPI Interest and serve to ensure that Rule 11.24 is properly describing order behavior after the proposed introduction of the Enhanced RPI Order and proposed expansion of the Program to securities priced below $1.00.

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 Exchange believes that the proposal does not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the proposed rule change is designed to increase intramarket competition for retail order flow by introducing a new order type that is designed to provide price improvement to Retail Orders in exchange for the ability to gain price priority over resting orders on the same side of the BYX Book. The proposal, which seeks to provide an innovative form of price improvement to Retail Orders through the creation of the Enhanced RPI Order, represents an effort by the Exchange to encourage on-exchange liquidity and incentivize the trading of Retail Orders on a national securities exchange.

The Exchange also believes the proposed rule change does not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the Act. As discussed above, IEX, NYSE, NYSE National, and Nasdaq BX each operate RLPs and the Exchange believes that its proposed rule change will allow it to compete for additional retail order flow with the aforementioned exchanges.[93] Furthermore, the Exchange's proposal will promote competition between the Exchange and off-exchange trading venues where the majority of retail order flow trades today. The proposed Enhanced RPI Order is designed to foster innovation within the market and increase the quality of the national market system by allowing national securities exchanges to compete both with each other and with off-exchange venues for order flow. Expanding the program to include securities priced below $1.00 similarly would not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the Act. The Exchange's proposal is designed to increase competition for trading in all securities, including but not limited to securities priced below $1.00. Given the growth of trading in sub-dollar securities since 2020, the Exchange believes that expanding the Program to include sub-dollar securities will make the Program an attractive option for retail investors seeking to trade in lower-priced securities, and as such is a competitive measure designed to compete directly with other exchanges for order flow.

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.

[93] *Supra* note 79.

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–CboeBYX–2025–007 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–CboeBYX–2025–007. 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–CboeBYX–2025–007 and should be submitted on or before April 10, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[94]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04660 Filed 3–19–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102677; File No. SR–CboeBZX–2024–126]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the BondBloxx Private Credit Trust

March 14, 2025.

I. Introduction

On December 17, 2024, Cboe BZX Exchange, Inc. (''BZX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the BondBloxx Private Credit Trust (''Trust'') under BZX Rule 14.11(f). The proposed rule change was published for comment in the **Federal Register** on December 30, 2024.[3]

On February 7, 2025, pursuant to Section 19(b)(2) of the Act,[4] 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.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to disapprove the proposed rule change.

II. Description of the Proposed Rule Change [7]

As described in the Notice, the Exchange proposes to list and trade Shares of the Trust [8] under BZX Rule 14.11(f)(4), which governs the listing and trading of Trust Issued Receipts [9] on the Exchange. According to the Exchange, the Trust seeks to provide risk-adjusted returns primarily through distributions of current income from the Trust's portfolio.[10]

Description of the Trust

BondBloxx Investment Management Corporation (''Advisor'') is the advisor to the Trust and is responsible for the overall management of the Trust's business activities. HCG Fund Management LP (''Sub-Advisor'') will assist in the day-to-day management of the Trust's assets. Brown Brothers Harriman & Co. serves as the administrator, custodian, and the transfer agent. CSC Delaware Trust Company, a Delaware trust company, is the sole trustee of the Trust.

According to the Exchange, the Trust intends to achieve its investment objective by constructing a diversified portfolio of consumer and small business private credit assets.[11] The Exchange states the Trust intends to target primarily whole loans that the Advisor believes will offer stable and predictable cash flows.[12] The Trust generally intends to focus on loans that have short and medium terms (*e.g.,* less than 60 months) which, through principal amortization, tend to have low duration (*e.g.,* less than 30 months).[13]

Investable Instruments and Trust Liquidity

The Exchange states the Trust intends to hold the following instruments: personal installment loans, small business loans, student loans, point of sale loans, and asset backed securities that are backed by such loans (collectively ''Private Credit Assets''), investment grade bonds, U.S. Treasuries, shares of certain exchange traded funds that invest in U.S. Treasuries or other short-term, interest bearing assets and cash and cash equivalents,[14] including funds of an affiliated Trust for which the Advisor acts as the investment adviser.[15]

According to the Exchange, there is limited sell-side liquidity available in the market for Private Credit Assets.[16] As such, the Advisor is proposing to utilize the following strategy to facilitate redemptions in the Trust:

1. The Trust will maintain a portion of the portfolio in cash and cash equivalents (''Liquidity Sleeve''). Under normal circumstances, the Trust expects to hold approximately 20% of the portfolio in these liquid assets. According to the Exchange, the Advisor expects that it will generally be able to fulfill redemption orders using this position.[17] The Advisor may also strategically increase the size of the Liquidity Sleeve in order to better facilitate anticipated redemptions by retaining, rather than distributing the paydowns from Private Credit Assets as further described below.

2. The remaining 80% of the Trust's holdings will consist of Private Credit Assets. The Exchange states these are short duration, high yielding products that are underwritten to pay a weighted average of 8% of the total Trust assets under management (''AUM'') per month or 10% of the private credit AUM per

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[94] 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. 102003 (Dec. 19, 2024), 89 FR 106648 (''Notice''). The Commission has not received any comments regarding the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102375, 90 FR 9559 (Feb. 13, 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).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] Additional information regarding the Trust and the Shares can be found in the Notice, *supra* note 3.

[8] The Trust has filed a registration statement on Form S–1 under the Securities Act of 1933, dated December 13, 2024 (File No. 333–283852) (''Registration Statement''). The description of the Trust and the Shares contained herein is based on the Registration Statement. The Exchange states the Registration Statement for the Trust is not yet effective, and the Trust will not trade on the Exchange until such time that the Registration Statement is effective. *See* Notice, *supra* note 3, 89 FR at 106649, n. 5.

[9] Rule 14.11(f)(4) applies to Trust Issued Receipts that invest in ''Investment Shares'' or ''Financial Instruments''. The term ''Investment Shares,'' as defined in Rule 14.11(f)(4)(A)(i), means a security (a) that is issued by a trust, partnership, commodity pool or other similar entity that invests in any combination of futures contracts, options on futures contracts, forward contracts, commodities, swaps or high credit quality short-term fixed income securities or other securities; and (b) issued and redeemed daily at net asset value in amounts correlating to the number of receipts created and redeemed in a specified aggregate minimum number. The term ''Financial Instruments,'' as defined in Rule 14.11(f)(4)(A)(iv), means any combination of investments, including cash; securities; options on securities and indices; futures contracts; options on futures contracts; forward contracts; equity caps, collars and floors; and swap agreements.

[10] The Exchange states the Trust intends to operate its business so that it is falls outside of the definition of an investment company under the Investment Company Act of 1940 (the ''1940 Act''). *See* Notice, *supra* note 3, 89 FR at 106649, n. 6.

[11] *See* Notice, *supra* note 3, 89 FR at 106649.

[12] *See id.*

[13] *See id.*

[14] Cash equivalents are short-term instruments with maturities of less than 3 months, specifically including U.S. Government securities, certificates of deposit, bankers' acceptances, repurchase and reverse repurchase agreements, bank time deposits, commercial paper, and money market funds. This definition is consistent with the definition of cash and cash equivalents in Exchange Rule 14.11(i)(4)(C)(iii).

[15] *See* Notice, *supra* note 3, 89 FR at 106649.

[16] *See id.*

[17] *See* Notice, *supra* note 3, 89 FR at 106649–50.

month.[18] The underwritten yields are currently 10% and at origination typically have an underwritten average duration limit of 3 years, with a target for the initial portfolio of less than 1 year.[19] The monthly cash flows, which are received throughout the month, may be reinvested to the extent necessary to maintain the approximate 20/80 allocation between the Liquidity Sleeve and Private Credit Assets described above.[20] The Trust will consider the current level of the Liquidity Sleeve, among other factors, in determining its distribution policy, and may determine to use accumulated cash received from payments of interest and principal on its Private Credit Assets as well as cash proceeds from loan repayments to replenish or increase the Liquidity Sleeve before distributing such amounts to shareholders.[21]

3. Further, according to the Exchange, in the event that the cash and cash equivalents required to accommodate a series of redemptions or a single large redemption approaches the size of the Trust's Liquidity Sleeve, the Trust may:

a. Sell Private Credit Assets in the secondary market to raise cash;

b. Arrange a line of credit or other financing facility with a bank or broker dealer, using the portfolio of Private Credit Assets as collateral.[22]

The Exchange states these options will likely come at a cost to the Trust or may not be available to the Trust depending on market conditions.[23]

4. In the event that items 1–3 above do not provide sufficient cash and cash equivalents to the Liquidity Sleeve to accommodate redemptions in the Trust, the Exchange states redemptions may be suspended until the Trust accumulates enough cash to facilitate additional redemptions, which the Advisor does not expect to last for longer than approximately 2.5 months.[24] In the event that the Advisor implements a restriction on redemptions, the Shares on the secondary market may trade at deep discount.[25] According to the Exchange, the discount could potentially serve to prompt investors to buy shares and potentially trigger primary market activity.[26]

According to the Exchange, the Advisor believes that the liquidity strategy laid out above will be sufficient to address concerns that may arise from the relative illiquidity of the secondary market for selling Private Credit Assets.[27] Specifically, the Advisor believes that the 20% Liquidity Sleeve (with the flexibility to increase the sleeve during times of potentially high redemptions) will provide the Trust with sufficient liquidity to manage redemptions under the vast majority of market conditions.[28] Additionally, because the Trust will target shorter duration loans that are underwritten to generate cash payments of interest and principal amortization of approximately 8% of the Trust's AUM per month, even in the event that the Trust's Liquidity Sleeve is exhausted, it is expected to be replenished by the cash payments generated by the Private Credit Assets.[29] In the event that the cash generated by the Private Credit Assets is insufficient to satisfy incoming redemptions the Trust would then have the ability to facilitate additional redemptions by selling certain of the Private Credit Assets and/or using the Private Credit Assets as collateral for a cash loan from a bank or broker dealer.[30] According to the Exchange, in a worst case scenario, the Trust would temporarily suspend redemptions.[31] However, the Exchange states the Advisor does not expect such a suspension to last for longer than approximately 2.5 months because of the cash expected to be generated by the Private Credit Assets.[32]

In addition to the specific liquidity strategy described above, the Exchange states that the small size of loans sourced through Fintech lending platforms will enable the Trust to hold a portfolio that is diversified by sector, source, vintage, count and geography, which will help to manage idiosyncratic risk and ensure a diverse universe of lenders.[33] The Exchange states the small loan size means that the Trust will need to hold a significant number of Private Credit Assets, further ensuring diversity and minimizing the risk that any single Private Credit Assets would have on the portfolio.[34] Finally, the Exchange states the Advisor believes that the cash yields and short duration through regular principal amortization will, in addition to enhancing the liquidity of the Trust, help manage volatility of returns.[35]

Availability of Information

According to the Exchange, the net asset value (''NAV'') for the Trust will be calculated by an independent third party once each business day and will be disseminated daily to all market participants at the same time.[36] Pricing information will be available on the Advisor's website including: (1) the prior business day's reported NAV, the closing market price or the bid/ask price, daily trading volume, and a calculation of the premium and discount of the closing market price or bid/ask price against the NAV; and (2) data in chart format displaying the frequency distribution of discounts and premiums of the daily closing price against the NAV, within appropriate ranges, for each of the four previous calendar quarters. The Trust will also disclose its portfolio holdings on a daily basis on its website. The aforementioned information will be published as of the close of business and available on the Advisor's website at *www.bondbloxxetf.com*.[37]

According to the Exchange, the Trust generally values its assets using market quotations when they are readily available.[38] Whole loans, asset backed securities and certain other types of private credit assets that Trust may hold may not have readily available market quotations and typically are fair-valued based on prices provided by a third-party pricing service.[39] Each loan and fractional loan is valued using inputs that factor in individual borrower performance data (*e.g.,* payment history) that is updated as often as the NAV is calculated to reflect new information about the borrower or loan.[40]

Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the Consolidated Tape Association. Pricing information regarding cash

[18] *See* Notice, *supra* note 3, 89 FR at 106650.

[19] *See id.*

[20] *See id.*

[21] *See id.*

[22] *See id.*

[23] *See id.*

[24] *See id.*

[25] *See id.*

[26] *See id.*

[27] *See id.*

[28] *See id.*

[29] *See id.*

[30] *See id.*

[31] *See id.*

[32] *See id.*

[33] *See id.*

[34] *See id.*

[35] *See id.*

[36] *See id.* NAV means the total assets of the Trust including, but not limited to, all cash and cash equivalents and private credit assets, less any liabilities, divided by the total number of Shares outstanding. The Trust's NAV is generally calculated at 4 p.m. ET. *See* Notice, *supra* note 3, 89 FR at 106650, n. 9.

[37] *See* Notice, *supra* note 3, 89 FR at 106650.

[38] *See id.*

[39] *See* Notice, *supra* note 3, 89 FR at 106650–51. According to the Exchange, fair value represents the amount that the Trust could reasonably expect to receive if its assets were sold at the time of valuation, based on information reasonably available at the time the valuation is made and that the Advisor and the Sub-Advisor believe to be reliable. *See* Notice, *supra* note 3, 89 FR at 106651. Further, according to the Exchange, ''fair valuation involves subjective judgments, and it is possible that the fair value determined for an asset may differ materially from the value that could be realized upon the sale of such asset.'' *Id.*

[40] *See* Notice, *supra* note 3, 89 FR at 106651.

equivalents in which the Trust will invest is generally available through nationally recognized data services providers, such as Reuters and Bloomberg, through subscription agreements.[41]

The Exchange states the Intraday Indicative Value (''IIV'') will be updated during Regular Trading Hours to reflect changes in the value of the Trust's holdings during the trading day.[42] The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day.[43] The IIV will be updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. Eastern time).

III. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2024–126 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[44] to determine whether the proposed rule change should be approved or disapproved. Institution of such 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 any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[45] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposal's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade,'' and ''to protect investors and the public interest.''[46]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following questions and asks commenters to submit data where appropriate to support their views:

1. What are commenters' views generally with respect to the liquidity and transparency of the markets for Private Credit Assets? What sources of reliable pricing information (both intraday and end-of-day) are available for the Private Credit Assets? Are such sources of reliable pricing information generally available to investors? Do the answers to these questions depend upon the type of Private Credit Asset?

2. What are commenters' views on whether the proposal would maintain alignment between intraday trading prices of the Shares and the contemporaneous value of the underlying portfolio? Will the proposed allocation of the Trust's holdings, including the liquidity strategy described by the Exchange,[47] facilitate alignment of the secondary market prices of the Shares with the value of the Trust's underlying portfolio? Why or why not? Will authorized participants and market makers have sufficient information to value the Trust's underlying portfolio and facilitate creation/redemption or trading in the Shares, respectively? Why or why not?

3. Given the nature of the underlying assets held by the Trust, what are commenters' views on whether the proposed Trust and Shares would be susceptible to manipulation? What are commenters' views generally on whether the Exchange's proposal is designed to prevent fraudulent and manipulative acts and practices?

IV. Procedure: 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 proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations 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.[48]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by April 10, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 24, 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–CboeBZX–2024–126 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–2024–126. 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;

[41] *See* Notice, *supra* note 3, 89 FR at 106651.

[42] *See id.*

[43] *See id.*

[44] 15 U.S.C. 78s(b)(2)(B).

[45] *Id.*

[46] 15 U.S.C. 78f(b)(5).

[47] *See supra* notes 16–26 and accompanying text.

[48] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 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, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

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–2024–126 and should be submitted on or before April 10, 2025. Rebuttal comments should be submitted by April 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[49]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04657 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102678; File No. SR–ISE–2025–10]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Establish Fees for FLEX Options

March 14, 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 12, 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 establish fees for its flexible exchange options functionality (''FLEX Options''), as described further below. While these amendments are effective upon filing, the Exchange has designated the proposed amendments to be operative on April 7, 2025.

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-2025-10.*

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-ISE-2025-10*) or by sending an email to *rule-comments@sec.gov.* Please include file number SR–ISE–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–ISE–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-ISE-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–ISE–2025–10 and should be submitted on or before April 10, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–04658 Filed 3–19–25; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2024–2752; Summary Notice No. 2025–10]

Petition for Exemption; Summary of Petition Received; Ameristar Air Cargo, Inc.

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before April 9, 2025.

ADDRESSES: Send comments identified by docket number FAA–2024–2752 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building

[49] 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] 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).

Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Sean O'Tormey at (202) 267–4044, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2024–2752.

Petitioner: Ameristar Air Cargo, Inc.

Section of 14 CFR Affected: § 117.25(b).

Description of Relief Sought: Ameristar Air Cargo, Inc. (Ameristar), a part 121 operator that primarily provides air transportation services for NCAA college sports teams, seeks exemption from § 117.25(b) to the extent necessary to reduce the number of consecutive hours free from all duty that a flightcrew member must be given within a consecutive 168 hour period before beginning any reserve or flight duty period. Ameristar seeks to provide its flightcrew members with hours of ''rest'' as defined in § 117.3, which Ameristar considers a higher standard than hours ''free from duty'' required under § 117.25(b).

[FR Doc. 2025–04654 Filed 3–19–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Collection Activities; Requesting Comments for the Qualifying Advanced Coal Project Program

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 Notice 2020–88, Round 3 of Phase III of the § 48A Qualifying Advanced Coal Project Program.

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. 1545–2003 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: Qualifying Advanced Coal Project Program.

OMB Number: 1545–2003.

Notice Number: Notice 2020–88.

Abstract: This notice updates and amplifies the procedures for the allocation of § 48A Phase III credits by announcing the beginning of Round 3 of the § 48A Phase III Program. To be considered in Round 3 of the § 48A Phase III Program, applications must be submitted to the Department of Energy (DOE) (Application for DOE Certification) and to the IRS (Application for § 48A Certification).

Current Actions: There are changes to the existing collection. The notice updates prior procedures to comply with the requirements of Round 3 of the § 48A Phase III Program.

Type of Review: Revision of a currently approved collection.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Responses: 5.

Estimated Time per Respondent: 110 hours.

Estimated Total Annual Burden Hours: 550 hours.

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 14, 2025.

Jason M. Schoonmaker,

Tax Analyst.

[FR Doc. 2025–04671 Filed 3–19–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Joint Committee

AGENCY: Internal Revenue Service (IRS) Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Joint 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 through the Microsoft Teams Platform.

DATES: The meeting will be held Thursday, April 21, 2025.

FOR FURTHER INFORMATION CONTACT: Conchata Holloway at 1–888–912–1227 or 214–413–6550.

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 Joint Committee will be held Thursday, April 21, 2025, at 2:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. For more information, please contact Conchata Holloway at 1–888–912–1227 or 214–413–6550, or write TAP Office, 1114 Commerce St., MC 1005, Dallas, TX 75242, or contact us at the website: *http://www.improveirs.org.*

The agenda will include the potential project referrals from the committees, and discussions on priorities the TAP will focus on for the 2025 year. Public input is welcomed.

Dated: March 14, 2025.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2025–04677 Filed 3–19–25; 8:45 am]

BILLING CODE 4830–01–P

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Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to ''Waste Emissions Charge for Petroleum and Natural Gas Systems: Procedures for Facilitating Compliance, Including Netting and Exemptions''. (Mar. 14, 2025; 139 Stat. 7)

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Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Ocean Energy Management relating to ''Protection of Marine Archaeological Resources''. (Mar. 14, 2025; 139 Stat. 8)

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