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Proclamation 10906 of March 20, 2025

The President

250th Anniversary of Patrick Henry’s “Give Me Liberty, Or Give Me Death!” Speech

By the President of the United States of America

A Proclamation

Our Nation proudly commemorates the 250th anniversary of Patrick Henry’s address to the Second Virginia Convention—a seminal moment in our great American story and a fateful turning point in America’s epic struggle for Independence.

On March 23, 1775, Patrick Henry rose to the pulpit of St. John’s Church in Richmond, Virginia, to speak those immortal words that remain etched upon every American heart: “Give me Liberty, or give me death!”

In the wake of escalating tensions between the Patriots and the Redcoats, Henry delivered this stirring address before more than 100 delegates, including George Washington, Thomas Jefferson, and many of the statesmen who would go on to sign the Declaration of Independence. Following the bloody Boston Massacre and the British Parliament’s authoritarian imposition of the Intolerable Acts—which closed the Boston Harbor and stripped New England Colonists of their right to self-govern—American leaders deliberated whether to continue their pursuit of peace, or as a final recourse, to take up arms in the rebellion.

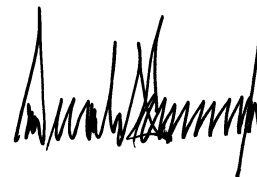
With British tyranny on the rise and American confidence in retreat, the Second Virginia Convention assembled. Patrick Henry, a respected lawyer who had recently served as a delegate to the Continental Congress, arrived at the Convention with one goal in mind: to galvanize militiamen into securing “our inestimable rights and liberties, from those further violations with which they are threatened.”

Some members cautioned against such decisive action, insisting that peaceful reconciliation was still possible, but as Henry listened, he grew more impatient. A Baptist minister who observed the proceedings later recalled that he had “an unearthly fire burning in his eye.” Overcome with righteous indignation, Henry rose from his seat with no notes in hand, boldly beseeching his fellow Virginians: “If we wish to be free . . . we must fight!” At a moment when America’s fate hung in the balance, Henry’s words sparked daring action in the souls of patriots, fortified the cause of freedom, and set America on the path to ultimate triumph over forces of tyranny and oppression. By a narrow margin, the Second Virginia Convention passed the resolution to form a militia—the first critical step to Independence.

“It is not now easy to say what we should have done without Patrick Henry,” Thomas Jefferson later wrote. “He was before us all in maintaining the spirit of the Revolution.” As we approach the 250th anniversary of our Nation’s Independence on July 4, 2026, we look to Patrick Henry, a son of the frontier, the first and sixth Governor of Virginia, an unflinching advocate for American Independence, and a true man of his moment. Today, we invoke his courage, we honor his legacy, and we fearlessly summon the spirit of 1776 to build a future that we will be proud to impart on our children. Like Patrick Henry and the giants of American liberty who came before us, now is our time to ring that great bell of American freedom and to propel our Nation into a new and radiant golden age.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 23, 2025, as a day in celebration of the 250th anniversary of Patrick Henry's speech to the Second Virginia Convention.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth 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.

A handwritten signature in black ink, appearing to be "Donald Trump", located on the right side of the page.

Rules and Regulations

Federal Register

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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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 201 and 314

[Docket No. FDA-2021-N-0862]

RIN 0910-AH62

Nonprescription Drug Product With an Additional Condition for Nonprescription Use

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2025, from the President, entitled “Regulatory Freeze Pending Review,” the effective date of the final rule, entitled “Nonprescription Drug Product With an Additional Condition for Nonprescription Use,” (ACNU) was delayed until March 21, 2025. Additional time is needed for review; therefore, the delay is extended for an additional 60 days.

DATES: As of March 21, 2025, the effective date for the final rule published December 26, 2024, (89 FR 105288), is further delayed to a new effective date of May 27, 2025.

FOR FURTHER INFORMATION CONTACT: Myla Dellupac, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Silver Spring, MD 20993-0002, 301-837-7461.

SUPPLEMENTARY INFORMATION:

I. Electronic Access and Filing

A copy of the notice of proposed rulemaking (87 FR 38313, June 28, 2022), all comments received, the final rule (89 FR 105288, December 26, 2024), and all background material may be viewed online at <http://www.regulations.gov> using the docket number listed above. A copy of this

document 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 <http://www.ofr.gov> and the Government Publishing Office’s website at <http://www.gpo.gov>.

II. Background

FDA published a final rule, titled “Nonprescription Drug Product With an Additional Condition for Nonprescription Use,” in the **Federal Register** on December 26, 2024 (89 FR 105288). That rule was published with an effective date of January 27, 2025. On January 20, 2025, the President issued a memorandum titled, “Regulatory Freeze Pending Review.” With respect to rules that have been published in the **Federal Register**, but have not taken effect, the memorandum orders agencies consider postponing the rules’ effective dates for 60 days from the date of the memorandum (*i.e.*, until March 21, 2025) for the purpose of reviewing any questions of fact, law, and policy the rules may raise.

In accordance with this direction, FDA delayed the effective date of the final rule, “Nonprescription Drug Product With an Additional Condition for Nonprescription Use” (89 FR 105288), until March 21, 2025. Given that more time is needed to review the rule, FDA is delaying the effective date an additional 60 days. The final rule establishes requirements for a nonprescription drug product with an ACNU, including application, labeling, and postmarketing reporting requirements. In addition to applicable existing application requirements, the final rule establishes the specific requirements for a new drug application (NDA) or abbreviated new drug application (ANDA) for a nonprescription drug product with an ACNU. In circumstances where a prescription drug product is already approved, the rule requires an applicant to submit a separate application for the approval of a nonprescription drug product with an ACNU, rather than a supplement to the existing application for the approved prescription drug product. The final rule establishes specific labeling requirements, including the content and format of

specific labeling statements. Additionally, the rule requires that an applicant submit a postmarketing report of an ACNU failure. The final rule clarifies that an ACNU constitutes a meaningful difference between a prescription drug product and a nonprescription drug product that makes the nonprescription drug product safe and effective for use without the supervision of a practitioner licensed by law to administer such drug; therefore, a prescription drug product and a nonprescription drug product with an ACNU with the same active ingredient may be simultaneously marketed even if they do not have meaningful differences other than the ACNU, such as different indications or strengths. The final rule specifies that FDA will refuse to approve an application for a nonprescription drug product with an ACNU if the application fails to meet applicable requirements. The final rule exempts a nonprescription drug product with an ACNU from the requirement to be labeled with adequate directions for use, provided that certain labeling conditions are met and the ACNU is implemented by the applicant as approved by FDA. Finally, the final rule explains certain circumstances in which a nonprescription drug product with an ACNU would be misbranded.

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). Alternatively, FDA’s implementation of this action without opportunity for public comment, effective immediately, is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and (d)(3). Seeking public comment is impracticable, unnecessary, and contrary to the public interest. The temporary delay in the effective date until May 27, 2025, is necessary to give Agency officials the opportunity for further review and consideration of the new regulation, consistent with the memorandum described previously. Given the imminence of the effective date and the brief length of the extension of the effective date, seeking prior public comment on this temporary delay would have been impracticable, as well as contrary to the public interest in the orderly promulgation and

implementation of regulations.¹ FDA also believes that affected entities need to be informed as soon as possible of the extension and its length in order to plan and adjust their implementation process accordingly.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2025-04978 Filed 3-21-25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 410

RIN 0970-AD16

Unaccompanied Children Program Foundational Rule; Update To Accord With Statutory Requirements

AGENCY: Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS).

ACTION: Interim final rule with comment period (IFR).

SUMMARY: ORR is amending a regulation so that it comports with the express language of the governing legislation. That regulation relates to key aspects of the placement, care, and services provided to unaccompanied alien children (UACs) referred to ORR, pursuant to ORR's responsibilities for coordinating and implementing the care and placement of UACs who are in Federal custody by reason of their immigration status under the Homeland Security Act of 2002 (HSA) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA).

DATES: This IFR is effective March 25, 2025. Comments on this IFR must be received on or before May 27, 2025.

ADDRESSES: You may send comments, identified by docket number ACF-2025-0003 and/or RIN 0970-AD16, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* UCPolicy-RegulatoryAffairs@acf.hhs.gov. Include [docket number and/or RIN] in the subject line of the message.

¹ In the event that this rule does not publish on or before March 21, 2025, good cause similarly exists to stay the effectiveness of the rule published December 26, 2024, and revise its effective date until May 27, 2025.

Instructions: All submissions received must include the agency name and docket number or RIN for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" section of this document.

FOR FURTHER INFORMATION CONTACT:

Toby Biswas, Director of Policy, Division of Unaccompanied Children Policy, Unaccompanied Children Bureau, Office of Refugee Resettlement, Administration for Children and Families, Department of Health and Human Services, Washington, DC, (202) 205-4440 or UCPolicy-RegulatoryAffairs@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

This interim final rule (IFR) removes a specific provision of the Code of Federal Regulations introduced by the April 30, 2024 "Unaccompanied Children Program Foundational Rule" (Foundational Rule) at 45 CFR 410.1201(b). This provision precludes ORR from "shar[ing] any immigration status information relating to potential sponsors with any law enforcement or immigration enforcement related entity at any time." The regulatory provision conflicts with a federal statute, which provides, in part, as follows:

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

8 U.S.C. 1373(a). Inasmuch as the regulation directly conflicts with federal law, it is "not in accordance with law," 5 U.S.C. 706(2)(A), and is thus subject to invalidation. Accordingly, the information-sharing provision of the Foundational Rule must be removed.

II. Background and Scope of Regulatory Action

On April 30, 2024, ORR published the "Unaccompanied Children Program Foundational Rule," which establishes regulations relating to key aspects of the placement, care, and services provided to unaccompanied alien children referred to the Office of Refugee Resettlement (ORR), pursuant to ORR's responsibilities for coordinating and implementing the care and placement of unaccompanied alien children who are in Federal custody by reason of their

immigration status under the Homeland Security Act of 2002 (HSA) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA). Consistent with its statutory responsibilities, ORR must, among other things, conduct safety and suitability assessments of potential sponsors for the child. *See generally* 8 U.S.C. 1232(c)(3). As explained in the preamble to the Foundational Rule, in the process of vetting potential sponsors for unaccompanied alien children, the potential sponsor's immigration status is one factor that bears on the potential sponsor's suitability to care for the child. *See* 89 FR at 34442 ("To the extent ORR does collect information on the immigration status of a potential sponsor, it would be only for the purposes of evaluating the potential sponsor's ability to provide care for the child."). And so ORR may collect information on the potential sponsor's immigration status, independent of a law enforcement or immigration enforcement purpose. *Id.*

In the Foundational Rule, ORR included a provision stating: "ORR shall not disqualify potential sponsors based solely on their immigration status and shall not collect information on immigration status of potential sponsors for law enforcement or immigration enforcement related purposes. ORR shall not share any immigration status information relating to potential sponsors with any law enforcement or immigration enforcement related entity at any time." 45 CFR 410.1201(b). But this provision contravenes a federal statute: it contravenes existing statutory limitations on ORR's authority described at 8 U.S.C. 1373. And so, it must be excised from the Foundational Rule.

ORR's authority is limited by 8 U.S.C. 1373(a) and (b). Subsection (a) states: "Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." Subsection (b) states: "Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual: (1) Sending such information to, or requesting or receiving such information

from, the Immigration and Naturalization Service. (2) Maintaining such information. (3) Exchanging such information with any other Federal, State, or local government entity.”

The statute unambiguously limits ORR’s authority. Notably, nowhere in the preamble to the Foundational Rule was 8 U.S.C. 1373 even mentioned, even though the information-sharing provision of the Foundational Rule, 45 CFR 410.1201(b), obviously and directly contravenes that statutory limit. Thus, ORR must update the Foundational Rule to strike 45 CFR 410.1201(b), effective immediately.¹ That is, ORR removes the prohibition on sharing immigration status information relating to potential sponsors with law enforcement and immigration enforcement entities.

III. Good Cause for Issuing This IFR

Under the Administrative Procedure Act, 5 U.S.C. 553(b)(B), notice and public comment is not required when an agency, for good cause, finds it is impracticable, unnecessary, or contrary to the public interest. The agency must incorporate a statement of the finding and the agency’s reasons in the rule issued.

HHS finds there is good cause to dispense with notice and comment here and issue this as an IFR. As explained above, 45 CFR 410.1201(b) contravenes 8 U.S.C. 1373. ORR had no authority to promulgate such a rule; revoking it immediately is in the public interest; and notice and comment is unnecessary and contrary to the public interest because no amount of public input could give ORR the power to contravene a duly-enacted law of Congress via regulation.

IV. Good Cause for Immediate Effect

Good cause exists for immediate effect, see 5 U.S.C. 553(d)(3), because this IFR brings an ORR regulation into compliance with a federal statute and regulated entities do not need time to adjust their behavior before this rule takes effect.

V. Public Participation

ORR encourages all interested parties to participate in this rulemaking by submitting written comments, views,

and data on any or all aspects of this IFR. ORR also invites comments that relate to the economic, environmental, or federalism effects that might result from this IFR. ORR will review all comments received, but ORR will only post comments that address the topic of the IFR. All comments ORR posts to <https://www.regulations.gov> will include any personal or commercial information you provide.

Comments that will provide the most assistance to ORR will reference a specific portion of the IFR, explain the reason for any recommended change, and include data, information, or authority that support such recommended change. If you submit comments, please indicate the specific section of this document to which each comment applies and provide a reason for each suggestion or recommendation. You may submit your comments and materials online or by email, but please use only one of these means. If you submit a comment online via <https://www.regulations.gov>, it will be considered received when it is received at the Docket Management Facility.

Instructions: To submit your comments online, go to <https://www.regulations.gov> and insert “ACF–2025–0003” in the “Search” box. Click on the “Comment Now!” box and input your comment in the text box provided. Click the “Continue” box, and if you are satisfied with your comment, follow the prompts to submit it.

For additional information, please read the “Privacy and Security Notice” that is available via the link in the footer of <https://www.regulations.gov>.

ORR will consider all comments and materials received during the comment period.

Docket: To view posted comments, as well as documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov> and insert “ACF–2025–0003” in the “Search” box. Click on the “Open Docket Folder,” and you can click on “View Comment” or “View All” under the “Comments” section of the page. Individuals without internet access can make alternate arrangements for viewing comments and documents related to this rulemaking by contacting ORR through the **FOR FURTHER INFORMATION CONTACT** section above. You may sign up for email alerts on the online docket to be notified when comments are posted, or a final rule is published.

As stated above, please be aware that anyone can search the electronic form of comments received into any dockets by the name of the individual submitting the comment (or signing the comment,

if submitted on behalf of an association, business, labor union, etc.).

V. Regulatory Analyses

This IFR meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

The Regulatory Flexibility Act (RFA) only applies in situations where an agency engages in notice-and-comment rulemaking. 5 U.S.C. 603(a). It does not apply here, because the agency is promulgating an IFR effective immediately without preceding notice and comment. The same is true for analysis pursuant to the Unfunded Mandates Reform Act (UMRA). 2 U.S.C. 1532(a). Moreover, the Foundational Rule explains the non-applicability of the UMRA. See 89 FR at 34582.

Under the Paperwork Reduction Act of 1995 (PRA), HHS is required to provide 60-day notice in the **Federal Register** and solicit public comment before a collection of information requirement is submitted to the Office of Management and Budget (OMB) for review and approval. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a control number assigned by OMB. The PRA does not apply here because this IFR does not establish a collection of information; it removes a limitation in the Foundational Rule that conflicts with federal law.

In accordance with section 6 of Executive Order 13132, it is determined that this IFR does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This comports with the same determination made in the Foundational Rule. See 89 FR at 34583.

Section 654 of the Treasury and General Government Appropriations Act of 1999 requires Federal agencies to determine whether a policy or regulation may affect family well-being. If the agency’s determination is affirmative, then the agency must prepare an impact assessment addressing criteria specified in the law. This regulation will not have an impact on family well-being as defined in this legislation, which asks agencies to assess policies with respect to whether the policy: strengthens or erodes family stability and the authority and rights of parents in the education, nurture, and supervision of their children; helps the family perform its functions; and increases or decreases disposable income.

¹ The Foundational Rule contains a severability provision. 45 CFR 410.1000. 45 CFR 410.1201(b)’s parts are inextricably linked and there was no indication in the Foundational Rule that it was intended to treat the information-sharing and the eligibility issues as distinct. In the alternative, as explained in the preamble of the Foundational Rule, 89 FR at 34389, that severability runs—at most—to provisions, not to portions of provisions. Thus, for this alternative reason as well, the entirety of 45 CFR 410.1201(b) must be removed due to the conflict with 8 U.S.C. 1373.

Dated: March 19, 2025.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

For the reasons set forth in the preamble, ORR amends 45 CFR part 410 to read as follows:

PART 410—CARE AND PLACEMENT OF UNACCOMPANIED CHILDREN

■ 1. The authority citation for part 410 continues to read as follows:

Authority: 6 U.S.C. 279, 8 U.S.C. 1232.

§ 410.1201 [Amended]

■ 2. Amend § 410.1201 by removing paragraph (b) and redesignating paragraph (c) as paragraph (b).

[FR Doc. 2025–04971 Filed 3–24–25; 8:45 am]

BILLING CODE 4184–45–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 9

[PS Docket Nos. 21–479, 18–64; FCC 24–78; FR ID 285086]

Facilitating Implementation of Next Generation 911 Services (NG911); Location-Based Routing for Wireless 911 Calls

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of compliance date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved a new information collection associated with certain rules adopted in a 2024 Report and Order concerning the implementation of Next Generation 911 (NG911) (*NG911 Report and Order*). The Commission also announces that compliance with these rules is now required. The Commission also amends the rules to remove certain paragraphs advising that compliance with the Commission's information collection requirements was not required until the Commission obtained OMB approval. This document is consistent with the *NG911 Report and Order* and rules, which state the Commission will publish a document in the **Federal Register** announcing a compliance date for the rule sections subject to OMB approval, and revise the rules accordingly.

DATES:

Effective date: This rule is effective March 25, 2025.

Compliance date: Compliance with 47 CFR 9.31(a) through (c) and 9.34(a) and (b), added in the final rule published September 24, 2024, at 89 FR 78066, and effective November 25, 2024, is required as of March 25, 2025.

FOR FURTHER INFORMATION CONTACT: For further information, please contact Brenda Boykin, Deputy Division Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418–2062 or brenda.boykin@fcc.gov. For additional information concerning the Paperwork Reduction Act information collection requirements contact Nicole Ongele at (202) 418–2991 or via email: Nicole.Ongele@fcc.gov.

SUPPLEMENTARY INFORMATION: This document announces that OMB has approved the information collection requirements in 47 CFR 9.31(a) through (c) and 9.34(a) and (b).

The Commission publishes this document as an announcement of the compliance date of 47 CFR 9.31(a) through (c) and 9.34(a) and (b). If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, 45 L Street NE, Washington, DC 20554, regarding OMB Control Number 3060–1333. Please include the relevant OMB Control Number in your correspondence. The Commission will also accept your comments via the internet if you send them to PRA@fcc.gov.

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

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on March 11, 2025 for the NG911 information collection requirements contained in the Commission's rules at 47 CFR 9.31(a) through (c) and 9.34(a) and (b).

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number.

The foregoing notice is required by the Paperwork Reduction Act of 1995,

Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1333.

OMB Approval Date: March 11, 2025.

OMB Expiration Date: March 31, 2028.

Title: Facilitating Implementation of Next Generation 911 Services (NG911).

Form Number: N/A.

Type of Review: New information collection.

Respondents: State, Local, or Tribal Government, and business or other for-profit entities.

Number of Respondents and Responses: 1,541 respondents; 2,837 responses.

Estimated Time per Response: 2–40 hours.

Frequency of Response: On occasion reporting requirement; third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection is contained in §§ 1, 2, 4(i), 201, 214, 222, 225, 251(e), 301, 303, 316, and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 201, 214, 222, 225, 251(e), 301, 303, 316, 332, and the Wireless Communications and Public Safety Act of 1999, Public Law 106–81, as amended, 47 U.S.C. 615 note, 615, 615a, 615a–1, 615b; and § 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111–260, 47 U.S.C. 615c.

Total Annual Burden: 18,116 hours.

Total Annual Cost: \$902,000.

Needs and Uses: In the *NG911 Report and Order* released on July 19, 2024, FCC 24–78, published at 89 FR 78066, September 24, 2024, the Commission adopted rules to advance the nationwide transition to Next Generation 911 (NG911).¹ These rules require wireline providers, Commercial Mobile Radio Service (CMRS) providers, covered text providers, providers of interconnected Voice over Internet Protocol (VoIP) services, and providers of internet-based Telecommunications Relay Service (internet-based TRS) (collectively, OSPs) to take actions to start or continue the transition to NG911 in coordination with 911 Authorities. These rules include notification and recordkeeping requirements applicable

¹ The *NG911 Report and Order* was corrected via two errata released on September 5, 2024, and October 1, 2024. The Second Erratum was published at 89 FR 83628.

to 911 Authorities and OSPs, as described in more detail herein.

Valid Requests. Under 47 CFR 9.31(a) and (b), 911 Authorities that wish to make Phase 1 or Phase 2 valid requests for delivery of 911 traffic in IP-based formats must provide OSP notification containing certain certifications and information via either direct communication or a registry to be made available by the Commission.

OSPs will use the information collected pursuant to § 9.31(a) and (b) that is submitted by 911 Authorities to trigger their NG911 transition requirements described in § 9.29(a) and (b), respectively, and their NG911 implementation deadlines set forth in § 9.30(a) and (b), respectively. To the extent that 911 Authorities use a registry made available by the Commission to submit their valid request notifications pursuant to § 9.31(a)(5) and (b)(6), the Public Safety and Homeland Security Bureau (PSHSB) will use the information collected pursuant to § 9.31(a) and (b) to monitor the progress of valid requests at each phase of the NG911 transition and to keep track of implementation deadlines associated with each valid request.

Petitions. Under 47 CFR 9.31(c), OSPs that wish to challenge 911 Authorities' valid requests may submit a petition to PSHSB within 60 days of the receipt of a Phase 1 or 2 request from a 911 Authority. Such challenge petitions must meet applicable procedural requirements and must be in the form of an affidavit that contains certain

supporting information. The affected 911 Authority may file an opposition to the OSP's petition, and OSPs may file replies to oppositions. Filing parties must serve a copy of the document on the other party at the time of filing.

PSHSB will use the information collected pursuant to § 9.31 that is submitted by the OSPs in their petitions challenging 911 Authorities' valid requests, as well as information submitted by 911 Authorities who file oppositions to such petitions and information submitted by OSPs who file replies to such oppositions, to determine whether to pause the implementation deadline for that OSP, affirm the request of the 911 Authority as valid, or take other action as necessary. The requirements should simplify the enforcement and complaint process for both OSPs and 911 Authorities regarding OSPs' implementation deadlines.

Mutual Agreements. Under 47 CFR 9.34, 911 Authorities and OSPs may enter into voluntary mutual agreements that establish terms different from the Commission's rules. Within 30 days of the date when any such agreement is executed, or subsequently amended, modified, or terminated, the participating OSP must notify the Commission and provide information about each requirement that is impacted by the agreement and how the alternative terms differ from each impacted rule.

The information collected pursuant to § 9.34(a) and (b) provides the

Commission with awareness of any changes to the requirements of OSPs under the rules.

List of Subjects in 47 CFR Part 9

Communications common carriers,
Communications equipment, Radio.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 9 as follows:

PART 9—911 REQUIREMENTS

■ 1. The authority citation for part 9 continues to read as follows:

Authority: 47 U.S.C. 151–154, 152(a), 1955(c), 157, 160, 201, 202, 208, 210, 214, 218, 219, 222, 225, 251(e), 255, 301, 302, 303, 307, 308, 309, 310, 316, 319, 332, 403, 405, 605, 610, 615, 615 note, 615a, 615b, 615c, 615a–1, 616, 620, 621, 623, 623 note, 721, and 1471, and § 902 of Title IX, Division FF, Pub. L. 116–260, 134 Stat. 1182, unless otherwise noted.

§ 9.31 [Amended]

■ 2. Amend § 9.31 by removing paragraph (d).

§ 9.34 [Amended]

■ 3. Amend § 9.34 by removing paragraph (c).

[FR Doc. 2025–04833 Filed 3–24–25; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register

Vol. 90, No. 56

Tuesday, March 25, 2025

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0472; Project Identifier MCAI-2024-00738-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 adopt a new airworthiness directive (AD) for 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). This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD 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 9, 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-2025-0472; 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-2025-0472.

- 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; phone: 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-2025-0472; Project Identifier MCAI-2024-00738-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; phone: 206-231-3225; email: *Dan.Rodina@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2024-0238, dated December 10, 2024 (EASA AD 2024-0238) (also referred to as the MCAI), to correct an unsafe condition for all Airbus SAS Model A300 B4-601, B4-603, B4-620, and B4-622, A300 B4-605R and B4-622R, A300 C4-605R Variant F, A300 C4-620, A300 F4-605R and F4-622R, and A300 F4-608ST airplanes. Model A300 C4-620 and A300 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.

EASA AD 2024-0238 specifies that it requires a task (limitation) already in Airbus A300-600 ALS Part 4, Revision 03, that is required by EASA AD 2017-0202 (which corresponds to FAA AD 2018-18-21, Amendment 39-19400 (83 FR 47054, September 18, 2018) (AD

2018–18–21)), and that incorporation of EASA AD 2024–0238 invalidates (terminates) prior instructions for that task. This proposed AD therefore would, for Airbus SAS Model A300 B4–601, B4–603, B4–620, and B4–622, A300 B4–605R and B4–622R, A300 C4–605R Variant F, A300 F4–605R and F4–622R airplanes only, terminate the limitations required by paragraph (g) of AD 2018–18–21 for the tasks identified in the material referenced in EASA AD 2024–0238 only.

The FAA is proposing this AD to address the risks associated with the effects of aging on airplane systems. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0472.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0238, which specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in EASA AD 2024–0238 described previously, as incorporated by reference. Any differences with EASA AD 2024–0238 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 (k)(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 incorporate EASA AD 2024–0238 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024–0238 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0238 does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in EASA AD 2024–0238. Material required by EASA AD 2024–0238 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–0472 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 AMOC paragraph under "Additional AD Provisions." This new format includes a "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 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. Therefore, the agency estimates the average total cost per operator 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 has 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(g), 40113, 44701.

§ 39.13 [Amended]

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

Airbus SAS: Docket No. FAA–2025–0472; Project Identifier MCAI–2024–00738–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 9, 2025.

(b) Affected ADs

This AD affects AD 2018–18–21, Amendment 39–19400 (83 FR 47054, September 18, 2018) (AD 2018–18–21).

(c) Applicability

This AD applies to all Airbus SAS airplanes identified in paragraphs (c)(1) through (4) of this AD, certificated in any category.

(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 the risks associated with the effects of aging on airplane systems. The unsafe condition, if not addressed, could result in an increased potential for failure of certain life-limited parts, and reduced structural integrity or controllability of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0238, dated December 10, 2024 (EASA AD 2024–0238).

(h) Exceptions to EASA AD 2024–0238

(1) This AD does not adopt the requirements specified in paragraph (1) of EASA AD 2024–0238.

(2) Paragraph (2) of EASA AD 2024–0238 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 2024–0238 is at the applicable “limitations” as incorporated by the requirements of paragraph (2) of EASA AD 2024–0238, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraph (3) of EASA AD 2024–0238.

(5) This AD does not adopt the “Remarks” section of EASA AD 2024–0238.

(i) Provisions for Alternative Actions and Intervals

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 2024–0238.

(j) Terminating Action for Certain Tasks Required by AD 2018–18–21

For the airplanes identified in paragraph (c) of this AD only: Accomplishing the actions required by this AD terminates the corresponding requirements of AD 2018–18–21 for the tasks identified in the material referenced in EASA AD 2024–0238 only.

(k) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if

requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (l) 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.

(l) Additional Information

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

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0238, dated December 10, 2024.

(ii) [Reserved]

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

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

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

Issued on March 18, 2025.

Victor Wicklund,

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

[FR Doc. 2025–04907 Filed 3–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2025–0339; Project Identifier MCAI–2024–00450–T]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2023–02–06, which applies to all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2023–02–06 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Since the FAA issued AD 2023–02–06, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would continue to require certain actions in AD 2023–02–06 and require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. 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 9, 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–2025–0339; 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 material identified in this proposed AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com*; website *baesystems.com/en/our-company/our-businesses/regional-aircraft/about-us*.

- 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:

Todd Thompson, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3228; email *todd.thompson@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–2025–0339; Project Identifier MCAI–2024–00450–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 the 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 Todd Thompson, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3228; email *todd.thompson@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 2023–02–06, Amendment 39–22313 (88 FR 7851, February 7, 2023) (AD 2023–02–06), for all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2023–02–06 was prompted by an MCAI originated by the Civil Aviation Authority (CAA), which is the aviation authority for the United Kingdom (UK) (UK CAA). The UK CAA issued AD G–2022–0006, dated March 30, 2022 (UK CAA AD G–2022–0006), to correct an unsafe condition.

AD 2023–02–06 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA issued AD 2023–02–06 to address fatigue damage of various airplane structures and failure of certain structurally significant items, which could result in reduced structural integrity of the airplane. The FAA also issued AD 2023–02–06 to address fuel vapor ignition sources, which could result in a fuel tank explosion and consequent loss of the airplane.

Actions Since AD 2023–02–06 Was Issued

Since the FAA issued AD 2023–02–06, the UK CAA superseded AD G–2022–0006, and issued UK CAA AD G–2024–0003, dated August 6, 2024; corrected August 14, 2024 (UK CAA AD G–2024–0003) (also referred to as the MCAI), to correct an unsafe condition on all BAE Systems (Operations) Limited Model 4101 airplanes. The MCAI states new or more restrictive airworthiness limitations have been developed.

The FAA is proposing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0339.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Subject 05–10–10, “Airworthiness Limitations,” of Chapter 05, “Airworthiness Limitations,” of BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Revision 46, dated February 20, 2024. This service information specifies airworthiness limitations for life-limited parts and structurally significant items.

This proposed AD would also require Chapter 05, “Airworthiness Limitations,” of BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Effectivity Group 403, Revision 44, dated June 15, 2021; and Chapter 05, “Airworthiness Limitations,” of BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021; which the Director of the Federal Register approved for incorporation by reference as of March 14, 2023 (88 FR 7851, February 7, 2023). “Effectivity Group” is not specifically stated on these documents. However, “403” and “408,” which are stated on the pages of the applicable documents (except for the title pages), refer to the effective groups of airplanes specified within the fleet code listings.

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.

Other Related Material

The FAA also reviewed Subject 05–10–20, “Certification Maintenance Requirements,” of Chapter 05, “Airworthiness Limitations,” and Subject 05–10–30, “Critical Design Configuration Control Limitations (CDCCL)—Fuel System,” of Chapter 05, “Airworthiness Limitations,” of BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Revision 45, dated December 15, 2023. This service information specifies airworthiness limitations for certification maintenance requirements and fuel tank systems, which are specified in appendices A and B of this proposed AD.

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 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 Requirements of This NPRM

This proposed AD would retain certain requirements of AD 2023–02–06. This proposed AD would also require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (e.g., inspections) and Critical Design Configuration Control Limitations (CDCCLs). Compliance with these actions and CDCCLs 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 according to paragraph (k)(1) of this proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 4 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 2023–02–06 to be \$7,650 (90 work-hours × \$85 per work-hour).

The FAA has determined that revising the 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. Therefore, the agency estimates the average total cost per operator to be \$7,650 (90 work-hours × \$85 per work-hour).

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(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
 - a. Removing Airworthiness Directive (AD) 2023–02–06, Amendment 39–22313 (88 FR 7851, February 7, 2023); and
 - b. Adding the following new AD:

BAE Systems (Operations) Limited: Docket No. FAA–2025–0339; Project Identifier MCAI–2024–00450–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 9, 2025.

(b) Affected ADs

This AD replaces AD 2023-02-06, Amendment 39-22313 (88 FR 7851, February 7, 2023) (AD 2023-02-06).

(c) Applicability

This AD applies to all BAE Systems (Operations) Limited Model 4101 airplanes, 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 a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address fatigue damage of various airplane structures and failure of certain structurally significant items, which could result in reduced structural integrity of the airplane. The FAA is also issuing this AD to address fuel vapor ignition sources, which could result in a fuel tank explosion and consequent loss 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 Terminating Action

This paragraph restates the requirements of paragraph (m) of AD 2023-02-06, with a new terminating action. Within 90 days after March 14, 2023 (the effective date of AD 2023-02-06): Revise the existing maintenance or inspection program, as applicable, by incorporating Subjects 05-10-10, "Airworthiness Limitations"; 05-10-20, "Certification Maintenance Requirements"; and 05-10-30, "Critical Design Configuration Control Limitations (CDCCL)—Fuel System"; of Chapter 05, "Airworthiness Limitations," of the BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Effectivity Group 403, Revision 44, dated June 15, 2021; or BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021; as applicable. The initial compliance times for the tasks are at the applicable times specified in paragraphs (g)(1) through (3) of this AD. Accomplishing the revision of the existing maintenance or inspection program required by paragraph (i) of this AD terminates the requirements of this paragraph.

(1) For replacement tasks of life limited parts specified in Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of the BAE Systems (Operations) Limited J41 AMM, Effectivity Group 403, Revision 44, dated June 15, 2021; or BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021; as applicable: Prior to the applicable flight cycles (landings) or flight hours (flying hours) on the part specified in the

"Mandatory Life Limits" column in Subject 05-10-10, or within 90 days after March 14, 2023, whichever occurs later.

(2) For structurally significant item tasks specified in Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of the BAE Systems (Operations) Limited J41 AMM, Effectivity Group 403, Revision 44, dated June 15, 2021; or BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021; as applicable: Prior to the accumulation of the applicable flight cycles specified in the "Initial Inspection" column in Subject 05-10-10, or within 90 days after March 14, 2023, whichever occurs later.

(3) For certification maintenance requirements tasks specified in Subject 05-10-20, "Certification Maintenance Requirements," of Chapter 05, "Airworthiness Limitations," of the BAE Systems (Operations) Limited J41 AMM, Effectivity Group 403, Revision 44, dated June 15, 2021; or BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021; as applicable: Prior to the accumulation of the applicable flight hours specified in the "Time Between Checks" column in Subject 05-10-20, or within 90 days after March 14, 2023, whichever occurs later; except for tasks that specify "first flight of the day" in the "Time Between Checks" column in Subject 05-10-20, the initial compliance time is the first flight of the next day after accomplishing the revision required by paragraph (g) of this AD, or within 90 days after March 14, 2023, whichever occurs later.

(h) Retained No Alternative Actions, Intervals, or CDCCLs, With New Exception

This paragraph restates the requirements of paragraph (n) of AD 2023-02-06, with new exception. Except as required by paragraph (i) 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), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k)(1) of this AD.

(i) New Revision of the Existing Maintenance or Inspection Program

Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, as specified in paragraphs (i)(1) and (2) of this AD. Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the actions required by paragraph (g) of this AD.

(1) Revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 AMM, Revision 46, dated February 20, 2024. The initial compliance time for doing the tasks is at the applicable times specified in paragraphs (i)(1)(i) and (ii) of this AD.

(i) For replacement tasks of life limited parts specified in Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 AMM, Revision 46, dated February 20, 2024: Prior to the applicable flight cycles (landings) or flight hours (flying hours) on the part specified in the "Mandatory Life Limits" column in Subject 05-10-10, or within 90 days after the effective date of this AD, whichever occurs later.

(ii) For structurally significant item tasks specified in Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 AMM, Revision 46, dated February 20, 2024: Prior to the accumulation of the applicable flight cycles (flights) or years specified in the "Initial Inspection" column in Subject 05-10-10, or within 90 days after the effective date of this AD, whichever occurs later.

(2) Revise the existing maintenance or inspection program, as applicable, to incorporate the information in appendix A to this AD—Subject 05-10-20, "Certification Maintenance Requirements," and in appendix B to this AD—Subject 05-10-30, "Critical Design Configuration Control Limitations (CDCCL)—Fuel System." The initial compliance time for doing the certification maintenance requirements tasks specified in Subject 05-10-20, "Certification Maintenance Requirements" (appendix A) is prior to the accumulation of the applicable flight hours specified in the "Time Between Checks" column in Subject 05-10-20, or within 90 days after the effective date of this AD, whichever occurs later; except for tasks that specify "first flight of the day" in the "Time Between Checks" column in Subject 05-10-20, the initial compliance time is the first flight of the next day after accomplishing the revision required by paragraph (i) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

(j) New No Alternative Actions, Intervals, or CDCCLs

After the existing maintenance or inspection program has been revised as required by paragraph (i) of this AD, no alternative actions (e.g., inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (k)(1) of this AD.

(k) Additional AD Provisions

The following provisions also apply to this AD:

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

approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or the UK CAA; or BAE Systems (Operations) Limited's UK CAA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(l) Additional Information

For more information about this AD, contact Todd Thompson, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206-231-3228; email todd.thompson@faa.gov.

(m) 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) Subject 05-10-10, "Airworthiness Limitations," of Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Revision 46, dated February 20, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on March 14, 2023 (88 FR 7851, February 7, 2023).

(i) Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 AMM, Effectivity Group 403, Revision 44, dated June 15, 2021.

Note 1 to paragraph (m)(4)(i): This note applies to paragraphs (m)(4)(i) and (ii) of this AD. Page 1 of the "Publications Transmittal" is the only page that shows the revision level of this document.

Note 2 to paragraph (m)(4)(i): This note applies to paragraphs (m)(4)(i) and (ii) of this AD. "Effectivity Group" is not specifically stated on the document. However, "403" and "408," which are stated on the pages of the applicable documents (except for the title pages), refer to the effective groups of airplanes specified within the fleet code listings.

(ii) Chapter 05, "Airworthiness Limitations," of BAE Systems (Operations) Limited J41 AMM, Effectivity Group 408, Revision 44, dated June 15, 2021.

(5) For material identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email RApublications@baesystems.com; website baesystems.com/en/our-company/our-businesses/regional-aircraft/about-us.

(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.

Appendix A to BAE Systems (Operations) Limited: Docket No. FAA-2025-0339; Project Identifier MCAI-2024-00450-T—Subject 05-10-20, "Certification Maintenance Requirements"

BILLING CODE 4910-13-P

** FOR AIRCRAFT ALL**

CERTIFICATION MAINTENANCE REQUIREMENTS
DESCRIPTION AND OPERATION

1. General

A. Approval

This Section is JAA/FAA Approved. It gives the check procedures and the maximum permitted time between checks necessary to maintain the certificated airworthiness standard of the airplane as determined in accordance with the requirements of JAR/FAR 25.1309. These items are identified as Certification Maintenance Requirements (CMRs). The Tables in paragraph 2 of this Section list the CMRs, the maximum permitted time interval between each check in number of flight hours and the associated check procedure (AMM TASK REF).

B. Airplane Maintenance Program

The Airplane Maintenance Program must include all listed CMRs at intervals not exceeding the listed times. The maximum permitted time between CMR checks may not be increased without consultation with the airplane manufacturer and specific approval from the responsible JAA/FAA Aircraft Certification Office.

C. First Flight of the Day Items

The CMR Tables contain some items that have a FIRST FLIGHT OF THE DAY check time. These items are also shown in the Normal Procedures Chapter of the Airplane Flight Manual. These items must be included in the Operator's Flight Crew Check List. They may not be removed without consultation with the airplane manufacturer and specific approval from the responsible JAA/FAA Aircraft Certification Office.

2. CMR Tables

The CMR Tables are in ATA chapter sequence. Each CMR is identified as a five digit sequence number, for example 21-001. The first two numbers identify the ATA section and the last three numbers are the CMR sequential number in that ATA section.

A. Chapter 21 - Air Conditioning

Table 1

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
21-001	Pressurization System Manual Control -	600	21-30-00-710-810

Table 1 continued...

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
21-002	Pressurization System Negative Pressure Relief Module - Functional Test	3900	21-30-00-720-830
21-003	Environmental Control System Fault Control Relays - Functional Test	10000	21-10-50-720-801
21-004	Pressure Regulating and Shut-Off Valve Control solenoid - Functional Test	10000	21-10-15-760-801
21-005	Air Conditioning Pack Overpressure Switches - Functional Test	10000	21-10-25-720-805

B. Chapter 24 - Electrical Power

Table 2

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
24-001	DC Generator System Overvoltage Protection - Operational Test	600	24-31-00-710-810
24-002	DC Generator Control Unit Acceptance Check - Removal/Bay Check/Installation/Operational Test	16000	24-31-10-000-801 24-31-10-400-805 (Ref. CMM 24-31-10)
24-003	Emergency Busbar Supply Diodes and Remote Control Circuit Breakers - Operational Test	1000	24-32-00-710-805
24-004	Power Distribution Unit Overcurrent Sensors - Operational Test	25000	24-32-00-710-810

Table 2 continued...

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
24-005	BUS TIE Switch - Operational Test	10400	24-32-00-710-815
24-006	Standby Power Supply Unit Capacity - Removal/Bay Check/Installation/Operational Test	3000	24-34-05-000-801 24-34-05-400-805 CMM 24-30-03
24-007	Standby Power Supply Unit Dormancy - Operational Test	3000	24-34-00-710-805

C. Chapter 26 - Fire Protection

Table 3

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
26-001	Fire Detection and Overheat Control Unit Self Test Facility - Operational Test	FIRST FLIGHT OF THE DAY	26-11-00-710-801

D. Chapter 27-Flight Controls

Table 4

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
27-001	Elevator Disconnect Unit - Functional Test	7900	27-30-00-720-825
27-002	Alleron Disconnect Unit - Functional Test	7534	27-10-00-720-825

Table 4 continued...

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
27-003	Stall Warning and Protection-Left and Right System Self Test - Operational Test	FIRST FLIGHT OF THE DAY	27-31-00-710-801
27-004	Stall Warning and Protection-Angle-of-Attack and Aircraft-On-Ground Switching - Operational Test	300	27-31-00-710-805
27-005	Stall Warning and Protection System - Functional Test	3000	27-31-00-720-805

E. Chapter 31 - Indicating/Recording Systems

Table 5

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
31-001	Take-Off Configuration and Warning System (TOCWS) Arming Circuitry - Operational Test	50	31-53-00-710-805
31-002	TOCWS-Input Trigger Circuitry - Functional Test	1200	31-53-00-720-810
31-003	Landing Gear-Horn Control Relay and Associated Circuitry - functional Test (Aircraft on Ground)	600	32-61-00-720-801

F. Chapter 52 - Doors

Table 6

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
52-001	Main Entrance Door Speed Lock Check - Functional Test	2706	52-10-05-720-805
52-002	Main Entrance Door-Pressurization Inhibit Function - Operational Test	3000	52-10-05-710-810

G. Chapter 73 - Engine Fuel and Control/Chapter 76 - Engine Control

Table 7

CMR NUMBER	ITEM DESCRIPTION	TIME BETWEEN CHECKS (FLT HRS)	CHECK PROCEDURES (AMM TASK REF)
73-001	Flight Idle Baulk Solenoid Mechanism - Operational Test	300	76-12-15-710-801
73-002	Overspeed Fuel Governor - Operational Test	300	72-00-00-501 Garrett On-Wing Manual

Source: Chapter 05, "Airworthiness Limitations," of the BAE Systems (Operations) Limited J41 AMM

Appendix B to BAE Systems (Operations)
Limited: Docket No. FAA-2025-0339; Project
Identifier MCAI-2024-00450-T—Subject 05-
10-30, “Critical Design Configuration
Control Limitations (CDCCL)—Fuel System”

** FOR AIRCRAFT ALL**

CRITICAL DESIGN CONFIGURATION CONTROL LIMITATIONS (CDCCL) - FUEL SYSTEM
DESCRIPTION AND OPERATION

1. General

The Critical Design Configuration Control Limitations (CDCCLs) section identifies certain design configuration features, which must be maintained for the operational life of the aircraft in order to preclude the development of ignition sources in the fuel tank system. CDCCLs are mandatory and cannot be changed or deleted without the approval of the European Aviation Safety Agency (EASA) or the National Regulatory Authority office that is responsible for the Jetstream 41 Type Certificate.

A critical fuel tank ignition source prevention feature may exist in the fuel system and its related installation or in systems that, if a failure condition were to develop, could interact with the fuel system in such a way that an unsafe condition would develop without these limitations. Strict adherence to configuration, methods, techniques and practices as prescribed is required to ensure compliance with the CDCCL. Any use of parts, methods, techniques or practices not contained in the applicable CDCCL requires regulatory authority approval.

The purpose of the CDCCL is to provide instructions to retain a critical ignition source prevention feature during configuration change that may be caused by modification, repairs or maintenance actions.

2. The following are CDCCLs:

A. Fuel Quantity Indication System (FQIS)

(1) Critical ignition source prevention feature:

The fuel quantity indication system (FQIS) probes are current-carrying components. They must be installed with a minimum clearance from aircraft structure.

(2) Implications of changing this feature:

If the probes are not installed correctly, small air gaps may be created between the conductors and the wing skins. During fault conditions, abnormally high voltages may be applied to the FQIS wiring and probes and electrical sparking (arcing) may occur across this small air gap.

(3) Instructions for retaining this feature:

The proper installation of an FQIS probe to obtain the correct clearance is a CDCCL. This must be carried out in accordance with AMM 28-41-05.

B. Fuel Tank Wiring**(1) Critical ignition source prevention feature:**

The electrical wiring inside the fuel tanks is designed to be continuous between the respective tank wall connectors and the affected components. Splicing of wires inside fuel tanks is not permitted.

(2) Implications of changing this feature:

Repair of damaged wiring using splices creates joints in the wiring. Failure of these joints could lead to electrical sparking (arcing) inside the fuel tank. Damaged tank wiring should be corrected by complete replacement of the affected wire.

(3) Instructions for retaining this feature:

Wiring inside fuel tanks must remain continuous between the tank wall connectors and the LRUs, with no extra joints permitted. This feature is a CDCCL. Wire replacement inside fuel tanks should be carried out in accordance with AMM Ch 20.

C. Fuel Boost Pump Wiring**(1) Critical ignition source prevention feature:**

The boost pump power wiring inside the fuel tank is designed to be continuous between the tank wall connectors and the boost pump. Repair of this wiring harness is not permitted.

(2) Implications of changing this feature:

Repair of a damaged boost pump wiring harness using splices creates joints in the wiring. Failure of these joints could lead to electrical sparking (arcing) inside the fuel tank. Damaged boost pump wiring should be corrected by complete replacement of the affected harness.

(3) Instructions for retaining this feature:

The boost pump wiring should not be modified in any way. The type design specified by Modification JM41672 must be maintained, and is a CDCCL. Harness replacement should be carried out in accordance with AMM Ch 20.

Issued on March 19, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-04983 Filed 3-24-25; 8:45 am]

BILLING CODE 4910-13-C

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

**[Docket No. FAA-2025-0107; Airspace
Docket No. 25-ASO-1]**

RIN 2120-AA66

**Amendment of Class D Airspace;
Jupiter, FL**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to amend Class D airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of William P. Gwinn Airport, beginning at the 205° bearing from the airport clockwise to the 145° bearing, thence to the beginning point. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Comments must be received on or before May 9, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0107 and Airspace Docket No. 25–ASO–1 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 for 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 for 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: Rachel Cruz, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone: (404) 305–5571.

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 amend Class D airspace in Jupiter, FL, for the safety and management of instrument flight rules (IFR) operations in the area.

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 editing, 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 Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may

also be examined during regular business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 30337.

Incorporation by Reference

Class D is published in paragraph 5000 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. 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 Proposal

This action proposes to amend 14 CFR part 71 by amending Class D airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of William P. Gwinn Airport, beginning at the 205° bearing from the airport clockwise to the 145° bearing, thence to the beginning point. Controlled airspace is necessary for the safety and management of instrument flight rules (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 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 would 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.

Lists 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), 106(g); 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 5000 Class D Airspace.

* * * * *

ASO NC D Jupiter, FL [Amended]

William P. Gwinn Airport, FL
(Lat. 26°54'29" N, long. 80°19'42" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of William P. Gwinn Airport beginning at the 205° bearing from the airport clockwise to the 145° bearing, thence to the beginning point. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

Issued in College Park, Georgia, on March 14, 2025.

Andree C. Davis,

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

[FR Doc. 2025–04986 Filed 3–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2022–0222]

RIN 1625–AA09

Drawbridge Operation Regulation; Okeechobee Waterway, Stuart, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to modify the operating schedule that governs the Florida East Coast (FEC) Railroad Bridge, across the Okeechobee Waterway (OWW), mile 7.41, at Stuart, FL. This proposed rule will allow the drawbridge to operate on a more predictable and reliable schedule to meet the needs of competing modes of transportation. This action is necessary due to a significant increase in railway activity. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must reach the Coast Guard on or before April 24, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2022–0222 using Federal Decision Making Portal at <https://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 571–607–5951, email Jennifer.N.Zercher@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of Proposed Rulemaking (Advance, Supplemental)
§ Section
U.S.C. United States Code
TD Temporary Deviation
OWW Okeechobee Waterway
FL Florida
TIR Temporary Interim Rule
NOI Notice of Inquiry
SNOI Supplemental Notice of Inquiry
FECR Florida East Coast Railway

FEC Florida East Coast

II. Background, Purpose and Legal Basis

The Florida East Coast (FEC) Railroad Bridge across the Okeechobee Waterway (OWW), mile 7.4, at Stuart, FL, is a single-leaf bascule bridge with a six-foot vertical clearance at mean high water in the closed position. The normal operating schedule for the bridge is found in 33 CFR 117.317(c).

Railway activity significantly increased across the FEC Railroad Bridge. The Coast Guard is proposing to change the operating regulation for the railroad bridge to allow the drawbridge to operate a more predictable and reliable schedule to meet the needs of competing modes of transportation.

On May 3, 2022, the Coast Guard published a Notification of Inquiry (NOI); request for comments in the **Federal Register** (87 FR 26145). This NOI sought information from waterway users in response to provided questions. Those questions focused on waterway usage and navigation in the vicinity of the railroad and highway bridges. On June 10, 2022, a Supplemental Notification of Inquiry (SNOI); request for comments was published in the **Federal Register** (87 FR 35472). The SNOI provided clarification on the Coast Guard’s intent in gathering information. The Coast Guard was seeking information regarding usage and equitable access to the waterway. We received a total 2358 comments on those publications. Those comments were taken into consideration when developing the temporary test deviation published on June 8, 2023.

On June 8, 2023, the Coast Guard published a notice titled “Temporary deviation from regulations; request for comments” in the **Federal Register** (88 FR 37470) (Temporary Deviation 1). The deviation was effective from 12:01 a.m. on June 21, 2023, through 11:59 p.m. on December 17, 2023. Under Temporary Deviation 1, the railroad bridge opened twice an hour upon request and was required to remain in the open position if trains were not crossing the bridge. Additional operating requirements were specified by the Coast Guard. The comment period ended on August 4, 2023, with 371 comments received. Those comments were taken into consideration when developing Temporary Deviation 2, which was published on August 11, 2023.

On August 11, 2023, the Coast Guard published a notice titled “Temporary deviation from regulations; cancellation” in the **Federal Register** (88 FR 54488). This action cancelled Temporary Deviation 1, as it was

determined FEC Railway (FECR) was experiencing extreme difficulty meeting the requirements of the temporary deviation.

On August 11, 2023, the Coast Guard also published a notice titled "Temporary deviation from regulations; request for comments" in the **Federal Register** (88 FR 54487) (Temporary Deviation 2). The deviation was effective from 12:01 a.m. on August 15, 2023, through 11:59 p.m. on December 17, 2023. Under Temporary Deviation 2, the railroad bridge was maintained in the fully open-to-navigation position, except during periods when it closed for the passage of train traffic. Additional operating requirements were specified by the Coast Guard, one of which was a fixed 15-minute opening period each hour. The comment period ended October 15, 2023, with 211 comments received. Those comments were addressed in Temporary Deviation 3, which was published on February 6, 2024.

On November 7, 2023, the Coast Guard published a notice titled "Temporary deviation from regulations; reopening the comment period" in the **Federal Register** (88 FR 76666). This action was necessary due to a delay in the start of passenger rail service. Due to the delay, the public was not afforded adequate opportunity to provide comments on Temporary Deviation 2 during actual passenger rail service operations. The comment period ended November 30, 2023, with 4 comments received. Those comments were addressed in Temporary Deviation 3, which was published on February 6, 2024.

On December 7, 2023, the Coast Guard published a notice titled "Temporary deviation from regulations; modification" in the **Federal Register** (88 FR 85111). The deviation was effective from 12:01 a.m. on December 18, 2023, through 11:59 p.m. on February 11, 2024. This action extended Temporary Deviation 2 to allow for the review of public comments, while providing continuity in the operation of the drawbridge. An additional comment period was not provided for the extension of Temporary Deviation 2 since multiple comment periods had already been provided.

On February 6, 2024, the Coast Guard published a notice titled "Temporary deviation from regulations; request for comments" in the **Federal Register** (89 FR 8074) (Temporary Deviation 3). The deviation was effective from 12:01 a.m. on February 12, 2024, through 11:59 p.m. on August 9, 2024. Under Temporary Deviation 3, the railroad bridge was maintained in the fully

open-to-navigation position, except during periods when it closed for the passage of train traffic. Additional operating requirements were specified by the Coast Guard one of which was a fixed 10-minute opening period each hour. The comment period ended May 6, 2024, with one comment received. That comment is addressed below.

On August 7, 2024, the Coast Guard published a Temporary Interim Rule (TIR) with request for comments in the **Federal Register** (89 FR 64367). The temporary interim rule is effective from August 9, 2024, through 11:59 p.m. on December 31, 2024. This action was necessary to allow for continuity of drawbridge operations while the Coast Guard reviewed comments and the Coast Guard Commissioned Marine Traffic Study of the Okeechobee Waterway (St. Lucie) (study) associated with the temporary test deviation. The comment period for the TIR ended September 23, 2024, with one comment received. That comment is addressed below.

On February 7, 2025, the Coast Guard published a TIR with request for comments in the **Federal Register** (90 FR 9126). The temporary interim rule is effective from February 7, 2025, through 11:59 p.m. on May 31, 2025. The comment period ends on March 10, 2025. This action allows for continuity for drawbridge operations while the Coast Guard evaluates documentation received for a request to permanently change the operating regulation.

The comment received from Temporary Deviation 3 expressed concern for the perceived overall negative impact of trains moving through the City of Stuart. This comment is outside of scope of the temporary deviation and will not be taken into consideration.

The comment received from the TIR published on August 7, 2024, was in support of the active temporary deviation. However, the commenter expressed concern, believing the adjacent moveable highway bridge would be required to remain open to navigation during the overnight hours when the railroad bridge is required to be open except for the passage of railway traffic. The commenter misunderstood the temporary drawbridge operating schedule, as the highway bridge is allowed to remain in the down position until a vessel requests an opening.

The Coast Guard commissioned an independent contractor to perform a study of the marine traffic on the Okeechobee Waterway (St. Lucie River), between the Roosevelt Bridge and the NW Dixie Hwy Bridge and analyze the

type, size, time of day and number of vessels that transit through the FEC Railroad Bridge while in the open and closed to navigation positions. The data was collected from November 1, 2023, through April 7, 2024. After data compilation, cleaning, and extraction, a total of 110 days were used for analysis. The study showed vessel traffic is greater on Friday, Saturday and Sunday with waterway activity greatest between the hours of 9 a.m. and 4 p.m. The total number of vessels observed transiting through the FEC Railroad Bridge between the hours of 6 a.m. and 8 p.m. was 16,406 with 99% of the vessel size between 6 feet and 16 feet. Vessels of this size are typically recreational vessels. The total number of vessels waiting for the FEC Railroad Bridge to open was 5,325 with an average wait time of 20.2 minutes. The average wait time for vessels prior to the TIR is unknown, as previous studies conducted by Martin County, FL in 2016 and Brightline, formerly known as All Aboard Florida, in 2014, did not provide this data. However, several comments received in response to a Notice of Inquiry published on May 3, 2022 and a Supplemental Notice of Inquiry published on June 10, 2022, noted recreational vessels were waiting 45 to 60 mins for the FEC Railroad Bridge to open after trains cleared the bridge. Therefore, this operating schedule has decreased the average wait time for vessels. Based on the data provided, the Coast Guard has determined the proposed rule would provide for reasonable access to the waterway and would meet the reasonable needs of competing modes of transportation. The final report of the study will be made available at <https://www.regulations.gov>, under the docket number.

This NPRM will run simultaneously with a TIR, under the same name and docket number. Both documents can be found at <https://www.regulations.gov> and comments can be made to either document.

III. Discussion of Proposed Rule

The published drawbridge operation regulation in 33 CFR 117.317(c) that controls the operating schedule when the TIR is not in effect, allows the railroad bridge to remain open to navigation except when it closes for the passage of railway traffic. There is no predictability for when or how long the railroad bridge will remain in the down or closed to navigation position. Under this proposed rule, the railroad bridge would be required to be maintained in the fully open-to-navigation position, except during periods when it closed for

the passage of train traffic. Additional operating requirements would be specified by the Coast Guard, one of which is a fixed 10-minute opening period each hour. This regulatory action determination is based on the ability that vessels can still transit the bridge during the designated 10-minute opening. Vessels will have the ability to utilize the mobile application for trip planning and transit based on the provided information. Vessels that can safely pass when the bridge is down or closed to navigation may do so at any time.

This would provide the maritime community with a predictable and reliable opening during each hour and limits the amount of time the railroad bridge can remain down or closed to navigation. The proposed rule would also provide the maritime community with a mobile application that will show the projected opening and closing times of the railroad bridge each day.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on these statutes and Executive Orders.

A. Regulatory Planning and Review

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. This proposed rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the ability that vessels can still transit the bridge during the designated 10-minute opening. Vessels will have the ability to utilize the mobile application for trip planning and transit based on the provided information. Vessels that can safely pass when the bridge is down or closed to navigation may do so at any time.

During the NOI/SNOI and the June/August 2023 Temporary Deviations, comments were made that local businesses may be negatively impacted with the increased rail traffic and unpredictable opening schedule. However, as modifications were made to the operating requirements in the subsequent Temporary Deviations and

the Temporary Interim Rule, those concerns were mitigated.

Also, the results of the Marine Traffic Study do not indicate a need to change the current agreed upon operation of the bridge as published in the current Temporary Interim Rule (TIR) and proposed in this NPRM.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section IV.A above and independent study of marine traffic, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132

(Federalism), if it has 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. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for

the Record are required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2022–0222 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted, or a final rule is published of any posting or updates to the docket.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

- 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and DHS Delegation No. 00170.1. Revision No. 01.3.

- 2. Amend § 117.317 by revising paragraph (c) to read as follows:

§ 117.317 Okeechobee Waterway.

* * * * *

(c) Florida East Coast Railroad (FEC) Bridge, mile 7.41, at Stuart. The draw shall operate as follows:

(1) The drawbridge will be maintained in the fully open-to-navigation position, except during periods when it is closed for the passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard.

(2) The drawbridge will not be closed for more than 50 consecutive minutes in any given hour during daytime operations (6 a.m. to 8 p.m.) and for more than 7 total hours during daytime operations (6 a.m. to 8 p.m.).

(3) Notwithstanding paragraph (c)(1), the drawbridge will open and remain open to navigation for a fixed 10-minute period at the top of each hour from 6 a.m. to 8 p.m.

(4) From 8:01 p.m. until 5:59 a.m. daily, the drawbridge will remain in the fully open-to-navigation position, except during periods when it is closed for the passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard. The drawbridge will not be closed more than 60 consecutive minutes.

(5) If a train is in the track circuit at the start of a fixed opening period, the opening may be delayed up to, but not more than, five minutes. Once the train has cleared the circuit, the bridge must open immediately for navigation to begin the fixed opening period.

(6) The drawbridge will be tended from 6 a.m. to 8 p.m., daily. The bridge tender will monitor VHF–FM channels 9 and 16 and will provide estimated times of drawbridge openings and closures, or any operational information requested. Operational information will be provided 24 hours a day by telephone at (772) 403–1005.

(7) The drawbridge owner will maintain a mobile application. The

drawbridge owner will publish drawbridge opening times, and the drawbridge owner will provide timely updates to schedules, including but not limited to, impacts due to emergency circumstances, inspections, maintenance, and repairs authorized by the Coast Guard.

(8) Signs will be posted and visible to marine traffic, displaying VHF radio contact information, application information, and the telephone number for the bridge tender.

* * * * *

Dated: March 5, 2025.

Douglas M. Schofield,

Rear Admiral, U.S. Coast Guard, Commander, Coast Guard Seventh District.

[FR Doc. 2025–04918 Filed 3–24–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2024–0419; FRL–11542–03–OAR]

RIN 2060–AW21

Review of New Source Performance Standards for Stationary Combustion Turbines and Stationary Gas Turbines; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: On December 13, 2024, the U.S. Environmental Protection Agency (EPA) proposed amendments to the new source performance standards (NSPS) for new, modified, and reconstructed stationary combustion turbines and stationary gas turbines. The EPA is reopening the public comment period for this proposed rule to allow additional time for stakeholders to review and comment on the proposal. The initial 90-day public comment period, which ended March 13, 2025, is being reopened for an additional 21 days, from March 25, 2025 to April 15, 2025.

DATES: The comment period for the proposed rule published on December 13, 2024, at 89 FR 101306, is reopened. Comments must be received on or before April 15, 2025.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2024–0419, 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-2024-0419 in the subject line of the message.

- *Fax:* (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2024-0419.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2024-0419, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- *Hand/Courier Delivery:* 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. 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 below.

FOR FURTHER INFORMATION CONTACT: John Ashley, Sector Policies and Programs Division (D243-02), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive P.O. Box 12055 RTP, North Carolina 27711; telephone number: (919) 541-1458; and email address: ashley.john@epa.gov.

SUPPLEMENTARY INFORMATION:

Rationale. On December 13, 2024, pursuant to its statutory duty to review and, if appropriate, revise NSPS under section 111(b)(1)(B) of the Clean Air Act, the EPA proposed to strengthen the limits for emissions of nitrogen oxides (NO_x) from most new, modified, and reconstructed stationary combustion turbines under new subpart KKKKa of 40 CFR part 60. In addition, the EPA proposed amendments to address specific technical and editorial issues in the current regulations for new, modified, and reconstructed stationary combustion turbines and stationary gas turbines under 40 CFR part 60, subparts KKKK and GG. The EPA received multiple requests for an extension of the initial 90-day comment period to allow stakeholders additional time to review and comment on the proposed rule. This initial comment period ended March 13, 2025. The EPA has decided to reopen the comment period for 21

days. The public comment period will now end on April 15, 2025.

Docket. The EPA has established a docket for this rulemaking under Docket ID No. EPA-HQ-OAR-2024-0419. All documents in the docket are listed in <https://www.regulations.gov>. 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 as pdf versions that can only be accessed on the EPA computers in the docket office reading room. Certain databases and physical items cannot be downloaded from the docket but may be requested by contacting the docket office at (202) 566-1744. The docket office has up to 10 business days to respond to these requests. Except for such material, publicly available docket materials are available electronically in [Regulations.gov](https://www.regulations.gov).

Instructions. Direct your comments to Docket ID No. EPA-HQ-OAR-2024-0419. 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 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-2024-0419. 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. 2025-04990 Filed 3-24-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25-139; RM-12001; DA 25-228; FR ID 285689]

Television Broadcasting Services Las Vegas, Nevada

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking, as amended, filed by CHANNEL 33, INC. (Channel 33 or Petitioner), the licensee of KHSV, channel 2, Las Vegas, Nevada (Station or KHSV). Petitioner requests that the Bureau substitute channel 23 for channel 2 at Las Vegas, Nevada in the Table of TV Allotments (table).

DATES: Comments must be filed on or before April 24, 2025 and reply comments on or before May 9, 2025.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Paul Cicelski, Esq., Lerman Senter PLLC, 2001 L Street NW, Suite 400, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Emily Harrison, Media Bureau, at Emily.Harrison@fcc.gov, (202) 418-1665, or Mark Colombo, Media Bureau, at Mark.Colombo@fcc.gov, (202) 418-7611.

SUPPLEMENTARY INFORMATION: In its Petition, Channel 33 asserts that the proposed channel substitution of UHF

channel 23 for low-VHF channel 2 serves the public interest because it resolves longstanding indoor digital VHF reception problems experienced by Station viewers. In this regard, Channel 33 states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service, including propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances. According to Channel 33, radiation by the illumination devices in Las Vegas and its casinos are known to interfere with low-VHF channels. In order to demonstrate that many persons within the channel 2 noise limited service contour (NLSC) currently are not receiving a viewable signal, Petitioner submits examples of complaints from over 200 viewers in Las Vegas city boundaries and immediate surrounding areas, where KHSV's signal strength is the strongest, reporting that they cannot reliably receive a viewable signal.

Channel 33 further asserts that while the proposed channel 23 predicted NLSC does not reach 41,840 persons who currently reside within the channel 2 predicted NLSC, this population number is not representative of the actual loss area. Petitioner explains that in addition to the Station operating on a low VHF channel, there are unique factors in Las Vegas which support a deviation from the Commission's general policy to only accept *de minimis* loss of population in connection with channel substitution requests. According to an analysis provided by Petitioner, most of the predicted loss area is on the fringe of the Station's protected NLSC, which extends more than 80 miles from the Station's antenna site as calculated by § 73.619(b)(4) of the Commission's rules (Rules). Petitioner explains that Las Vegas is unique in that it sits in a "topographical bowl" surrounded by "extremely tall walls of rock" which block the Station's signal from areas at the edge of the Station's NLSC, such as Mesquite, Nevada, Bullhead City, Arizona, and Kingman, Arizona (Fringe Localities). Included with its Petition are terrain maps of the Las Vegas area which show the extreme terrain that blocks the Station's signal from reaching the Fringe Localities because they do not have line-of-site to the KHSV antenna and, thus, cannot reliably receive the Station's signal. Petitioner also provides field measurements which it states show that KHSV's signal is largely not present in the Fringe Localities and in those limited locations that have a signal, it is

"barely useable" or the signal is in largely undeveloped or underdeveloped areas away from significant residential and industrial electronic noise. Based on this analysis, Petitioner concludes that changing the Station's channel "will not create more than a *de minimis* population loss (since there is a *de minimis* number of viewers to start with) in these distant communities."

We believe that the Petitioner's channel substitution proposal for KHSV warrants consideration. Based on an analysis by Bureau staff, channel 23 can be substituted for channel 2 as proposed in compliance with the principal community coverage requirements of section 73.618 of the Rules, at coordinates 36-00'-31.0" N and 115-00'-20.0" W. In addition, we find that this channel change meets the technical requirements set forth in section 73.622(a) of the Rules. Further, because of the unique reception difficulties experienced on low-VHF channels due to the significant levels of interference from numerous illumination devices in Las Vegas, the topography of the Las Vegas area, and the measured lack of reception today in the loss areas due to terrain, we tentatively conclude that although total viewer loss is not *de minimis*, based on the unique facts and circumstances, the benefits of the proposal to the public outweigh the harms. We seek comment on this tentative conclusion. According to the Petitioner, 86,424 persons will fall outside of the Station's current channel 2 NLSC. However, when using Longley-Rice, which takes into account terrain loss, the loss population in the Fringe Localities is predicted to be less than half that—41,480 persons.

Approximately, 44,944 persons in the Fringe Localities should continue to receive KHSV despite being outside the Station's new channel 23 NLSC contour. An analysis included by the Petitioner also confirms that most of the remaining loss area is served by translators for other stations and low power television (LPTV) stations. For example, nine such LPTV/translator stations exist in the Kingman, Arizona area. In addition, an analysis by Bureau staff agrees with the Petitioner that some viewers in the loss area will continue to be covered by other full power stations. For example, KMOH-TV, Kingman, AZ (Facility ID No. 24573) and KMCC(TV), Laughlin, NV (Facility ID No. 41237) cover portions of the Fringe Localities. While we do not depend on these facts in tentatively concluding that the proposal warrants consideration, we believe that these facts help to support our tentative

conclusion that this proposal serves the public interest.

This is a synopsis of the Commission’s *Notice of Proposed Rulemaking*, MB Docket No. 25–139; RM–12001; DA 25–228, adopted March 14, 2025, and released March 14, 2025. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the

matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission’s rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of this notice of proposed rulemaking is available at <https://www.fcc.gov/proposed-rulemakings>.

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622, in the table in paragraph (j), under Nevada, revise the entry for “Las Vegas” to read as follows:

§ 73.622 Digital television table of allotments.

*	*	*	*	*
(j) * * *				
Community		Channel No.		
*	*	*	*	*
Nevada				
*	*	*	*	*
Las Vegas		7, *	* 11, 16, 22, 23, 26, 29	
*	*	*	*	*

[FR Doc. 2025–05014 Filed 3–24–25; 8:45 am]

BILLING CODE 6712–01–P

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

Rural Business-Cooperative Service

Rural Housing Service

Rural Utilities Service

[DOCKET #: RBS-25-NONE-0001]

Amendment of Rural Development Funding Opportunities Pursuant to the Executive Order “Ending Radical and Wasteful Government DEI Programs and Preferencing”; Correction of Rural Energy for America Funding Notice

AGENCY: Rural Business-Cooperative Service, Rural Housing Service, Rural Utilities Service, Department of Agriculture.

ACTION: Notice.

SUMMARY: The United States Department of Agriculture, Rural Development (RD), which is comprised of the Rural Business-Cooperative Service (RBCS), Rural Utilities Service (RUS), and Rural Housing Service (RHS), announces that it is amending 14 program funding opportunities to remove references to the prior Administration’s key priorities and DEI (diversity, equity, and inclusion)-related scoring criteria to bring them into compliance with the Executive Order, “Ending Radical And Wasteful Government DEI Programs And Preferencing”, issued on January 20, 2025. This notice also confirms that previous Administration key priorities and discretionary points will not be considered during application scoring and makes clear that applicants who already have applied need not reapply.

This notice also corrects the Rural Energy for America funding notice to include an omitted funding source.

DATES: This notice is applicable March 25, 2025.

ADDRESSES: All addresses remain the same as in the original funding opportunity announcements.

SUPPLEMENTARY INFORMATION:

A. Overview

Under the previous Administration, RD established three key priorities that were made public and incorporated into program activities. The RD Key Priorities were incorporated into funding notices in the following manner. First, a general reference to the Administration’s key priorities was included in the introductory section of most RD funding notices.

The previous Administration’s RD Key Priorities for discretionary points were generally:

(a) Assisting rural communities to recover economically through more and better market opportunities and through improved infrastructure. Applicant would receive priority points if the project were located in or serving a rural community whose economic well-being ranks in the most distressed tier (distress score of 80 or higher) of the Distressed Communities Index using the Distressed Communities Look-Up Map available at rd.usda.gov/priority-points.

(b) Ensuring all rural residents have equitable access to RD programs and benefits from RD funded projects. Using the Social Vulnerability Index (SVI) Look-Up Map (available at rd.usda.gov/priority-points), an applicant would receive priority points if:

- The project were located in or serving a community with score 0.75 or above on the SVI;
- The applicant were a federally recognized tribe, including Tribal instrumentalities and entities that are wholly owned by Tribes; or
- Was a project where at least 50 percent of the project beneficiaries were members of federally Recognized Tribes and non-Tribal applicants included a

Tribal Resolution of Consent from the Tribe or Tribes that the applicant was proposing to serve.

- The application was from or benefiting a Rural Partner’s Network’s (RPN) community network. Currently RPN Networks exist in Alaska, Arizona, Georgia, Kentucky, Mississippi, Nevada, New Mexico, North Carolina, Puerto Rico, West Virginia and Wisconsin. Using the Community Look-Up map (available at rd.usda.gov/priority-points) the applicant could determine if a project qualified for priority points.

(c) Reducing climate pollution and increasing resilience to the impacts of climate change through economic support to rural communities. Using the Disadvantaged Community and Energy Community Look-Up Map (available at rd.usda.gov/priority-points), applicants would receive priority in one of the three ways:

- If the project were located in or served a Disadvantaged Community as defined by the Climate and Economic Justice Screening Tool (CEJST), from the White House Council on Environmental Quality (CEQ);
- If the project were located in or served an Energy Community as defined by the Inflation Reduction Act of 2022 (Pub. L. 117–169) (IRA); and
- If applicants could demonstrate through a written narrative how the proposed climate-impact projects would improve the livelihoods of community residents and meet pollution mitigation or clean energy goals.

Second, some, but not all, programs included discretionary points related to one or more of the key priorities. These points were, or could be, considered as part of the application scoring.

RD has identified 14 program funding opportunities, listed in Table 1, that reference the prior Administration’s key priorities and/or DEI-related scoring criteria for which application deadlines either closed after January 20, 2025, are currently accepting funding applications, or for which there are rolling deadlines.

TABLE 1

Agency	Title	Funding opportunity/ assistance listing No.	Federal Register notice	Date of publication	Reference to key priorities	Scoring criteria	Closing date
1. RUS	Distance Learning & Telemedicine Grants (DLT).	RUS–25–01–DLT, 10.855.	90 FR 589	1/6/2025	Overview	Section E(1)(d), 90 FR 593.	3/6/25.
2. RUS	High Energy Cost Grants ..	RD–RUS–HECG25, 10.859.	n/a	12/30/2024 via grants.gov.	Sect 1.1	Section 5.1 (b)(1)(i)–(iv).	2/28/25.
3. RUS	Decentralized Water System Grants (DWS).	RDRUS–25–DWS, 10.862.	n/a	1/1/25 via grants.gov.	Sect. 1.1	Section 5.1 (a)–(c).	3/3/25.
4. RBCS	REAP–RES/EEI Farm Bill (>25%).	RDBCP–REAP–RES–EEI–2025–2026–2027, 10.868.	89 FR 83449	10/16/24	Overview	Section E 1e, 89 FR 83453.	3/31/25.
5. RBCS	REAP–Energy Audit & Renewable Energy Development Assistance Grants.	RDBCP–REAP–RES–EEI–2025–2026–2027, 10.868.	89 FR 83449	10/16/24	Overview	Section E(1)(b)(ii)	1/31/25.
6. RBCS	Rural Business Development Grant (RBDG).	RDBCP–RBDG–2025, 10.351.	89 FR 83827	10/18/24	Overview	Section E 1(c)(1)–(3), 89 FR 83830.	2/28/25.
7. RBCS	Rural Economic Development Loan and Grant (REDLG).	RD–RBCS–25–REDLG, 10.854.	89 FR 68132; 89 FR 92086 (amended notice).	8/23/24	Overview	Section E 2(a)–(c), 89 FR 68135.	Varies by quarter last opening is 6/30/25.
8. RBCS	Rural Business Development Grant Program To Provide Technical Assistance for Rural Transportation Systems (RBDG–RTS).	RDBCP–RBDG–2025, 10.351.	90 FR 584	1/6/25	Overview	Section E 2(a)–(c), 89 FR 587.	4/7/25.
9. RBCS	Timber Production Expansion Guaranteed Loan Program (TPEP).	RBS–24–BUSINESS–0008, 10.385.	89 FR 104972	12/26/24	Overview	Section E 1(a)–(c), 89 FR 104974.	Until expended.
10. RBCS	Intermediate Relending Program (IRP).	RBS–24–BUSINESS–0011, 10.767.	89 FR 64867	8/8/24	Overview	Section E1(a)(1)–(3), 89 FR 64869.	Varies by quarter last opening is 6/30/25.
11. RUS	EP–313A	RUS–24–ELECTRIC–0032, 10.850.	89 FR 85148	1/6/25	Overview, 89 FR 85148.	Not considered ...	1/31/25.
12. RUS	Community Connect Grants.	RDRUS–CC–2025, 10.863.	90 FR 1946	1/10/25	Overview	Not considered ...	4/21/25.
13. RUS	Calendar Year 2022 Disaster Water Grants.	RUS–23–WATER–0009, 10.760.	88 FR 40775	6/22/23	Overview, 88 FR 40775.	Section E1 (Disadvantaged Communities).	Until expended.
14. RBCS	Rural Micro-entrepreneur Assistance Program (RMAP).	RD–RBCS–25–RMAP, 10.870.	89 FR 67411	8/20/24	Overview, 89 FR 67412.	Not considered ...	Varies by quarter last opening is 6/30/25.

B. Amendments Related to Previous Administration Key Priorities and DEI-Related Scoring Criteria

The 14 program funding opportunities identified in Table 1 are hereby amended to remove reference to or consideration of those Key Priorities. In addition, if a program notice referenced discretionary points either from an Administrator or State Director for meeting the Key Priorities, those discretionary points will not be available or awarded.

C. Guidance to Applicants

Applicants who have already submitted their applications do not need to withdraw, submit a new or revised application, or supplement their application. The program will review the application consistent with this notice.

Applicants in a program for which a deadline has not otherwise passed may

withdraw, resubmit, or supplement their application before the deadline has passed.

Applicants may direct any questions related to the program funding opportunity to the “address” or “further contact information” provided in the original notice.

D. Correction of Notice of Funding Opportunity for the Rural Energy for America Program for Fiscal Years 2025, 2026, and 2027

The REAP has two types of funding assistance: RES/EEI assistance and EA and REDA grants. On October 16, 2024, the RBCS published a notice in the **Federal Register**, Notice of Funding Opportunity for the Rural Energy for America Program for Fiscal Years 2025, 2026, and 2027, 89 FR 83449. That notice omitted reference to the availability of funding under the 2018

Farm Bill. That notice is hereby corrected as follows:

In Section B (Federal Award Information) under “Available Funding,” on page 83450, after the first paragraph in the second column, the following is added: “c. *Farm Bill funding*—Approximately \$50 million per Federal FY.”

Any questions related to the amendment of this funding notice should be directed to the “address” and “information contact” listed on the original notice.

Jacqueline Ponti-Lazaruk,
Acting Deputy Under Secretary, USDA Rural Development.

[FR Doc. 2025–04988 Filed 3–24–25; 8:45 am]

BILLING CODE 3410–XY–P

COMMISSION ON CIVIL RIGHTS**Notice of Public Meetings of the Colorado Advisory Committee to the U.S. Commission on Civil Rights****AGENCY:** Commission on Civil Rights.**ACTION:** Notice of public meetings.

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 Colorado Advisory Committee (Committee) to the U.S. Commission on Civil Rights will convene the following two business meetings: Wednesday, April 2, 2025, at 3 p.m. Mountain Time and Wednesday, April 16, 2025, at 3 p.m. Mountain Time. The purpose of the meeting on April 2nd is to narrow down and vote on a study topic. The purpose of the meeting on April 16th is to vote on a project proposal and begin planning hearings related to the study of the selected topic.

DATES: Wednesday, April 2, 2025, at 3 p.m. Mountain Time.

Wednesday, April 16, 2025, at 3 p.m. Mountain Time.

ADDRESSES: The meetings will be held via Zoom.4/2/25 Meeting Link (Audio/Visual): <https://tinyurl.com/395ve5x7>.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Meeting ID: 161 608 8878 #.

4/16/25 Meeting Link (Audio/Visual): <https://tinyurl.com/v34hwx42>.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Meeting ID: 160 614 2807 #.

FOR FURTHER INFORMATION CONTACT: Ana Fortes, Designated Federal Official, at afortes@usccr.gov or by phone at 202-681-0857.

SUPPLEMENTARY INFORMATION: Any interested member of the public may attend the meetings via the links above. Before adjourning the meetings, the committee chair will announce that any member of the public may make a brief oral statement, as time allows. Per the Federal Advisory Committee Act, public minutes of meetings will include a list of persons who are present at meetings. 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 is available by selecting "CC" in the meeting platform. To request additional accommodations,

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Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following scheduled meetings. Written comments may be emailed to Evelyn Bohor at ebohor@usccr.gov; please include Colorado Committee in the subject line of the transmitting email. Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-312-353-8311.

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Agendas

April 16, 2025

- I. Welcome and Roll Call
- II. Vote on Project Topic
- III. Discuss Next Steps
- IV. Public Comment
- V. Adjournment

Exceptional Circumstance: Pursuant to 41 CFR 102-3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstance of the committee's limited time left in their term and their desire to hold an additional meeting to advance their project.

Dated: March 20, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-05029 Filed 3-24-25; 8:45 am]

BILLING CODE P**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****[RTID 0648-XE693]****Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Coast Guard Construction in Florence, Oregon****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to the U.S. Coast Guard (USCG) to incidentally harass marine mammals during pile driving activities associated with Station Siuslaw River construction project in Florence, Oregon.

DATES: The authorization is effective from November 1, 2025 through October 31, 2026.

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-us-coast-guards-station-siuslaw-river-construction-project>. In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427-8401.**SUPPLEMENTARY INFORMATION:****Background**

The MMPA prohibits the "take" of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are proposed or, if the taking is limited to harassment, a notice of a proposed IHA is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other "means of effecting the least practicable adverse impact" on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stocks for

taking for certain subsistence uses (referred to in shorthand as “mitigation”); and requirements pertaining to the monitoring and reporting of the takings. The definitions of all applicable MMPA statutory terms used above are included in the relevant sections below and can be found in section 3 of the MMPA (16 U.S.C. 1362) and NMFS regulations at 50 CFR 216.103.

Summary of Request

On October 26, 2023, NMFS received a request from the USCG for an IHA to take marine mammals incidental to pile driving activity associated with the Station Siuslaw River construction project in Florence, Oregon. Following NMFS’ review of the application, we received a revised version of the application on April 18, 2024. After finalizing construction details, the USCG submitted revised versions on July 16, 2024 and October 16, 2024, followed by a final revised version on November 18, 2024, which was deemed adequate and complete on December 5, 2024. USCG’s request is for take of harbor seal, California sea lion, Steller sea lion, and harbor porpoise by Level B harassment, and for harbor seal and harbor porpoise, Level A harassment. Neither USCG nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

Description of Activity

Overview

The USCG requested an IHA to correct shoreline erosion and replace the covered mooring and appurtenant structures at USCG Station Siuslaw River in Florence, Oregon (figure 1). This two-phased project entails both onshore and in-water construction activities including site preparation, demolition, shoreline stabilization measures, pile removal and installation, and overwater construction. Phase 1 includes onshore infrastructure improvements, sitework and shoreline stabilization, and phase 2 includes overwater and in-water construction including all pile install and removal.

The only part of the project that may result in Level A and Level B

harassment of marine mammals, and further analyzed in this notice, are the in-water construction activities associated with vibratory and impact pile driving (phase 2). The USCG plans to remove 71 timber piles via vibratory driving and to install 79 total piles via vibratory and impact driving with an estimated 48 total days of pile removal and install. USCG plans to install 16-inch (in) (40.6 centimeters (cm)) to 20-inch (50.8 cm) steel pipe piles, and/or 14-inch (35.6 cm) H-piles for their new infrastructure. Pile driving will only occur within the Oregon Department of Fish and Wildlife (ODFW) approved in-water work window; however the IHA will have a 1-year period of effectiveness.

A detailed description of the planned construction project is provided in the **Federal Register** notice for the proposed IHA (90 FR 7082, January 21, 2025). Since that time, no changes have been made to the planned construction activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specific activity.

Comments and Responses

A notice of NMFS’ proposal to issue an IHA to USCG was published in the **Federal Register** on January 21, 2025 (90 FR 7082). That notice described, in detail, USCG’s activities, the marine mammal species that may be affected by the activities, and the anticipated effects on marine mammals. In that notice, we requested public input on the request for authorization described therein, our analyses, the proposed authorization, and any other aspect of the notice of proposed IHA, and requested that interested persons submit relevant information, suggestions, and comments. This proposed notice was available for a 30-day public comment period. During the 30-day public comment period, NMFS did not receive any public comments.

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history of the potentially

affected species. NMFS fully considered all of this information, and we refer the reader to these descriptions, instead of reprinting the information. Additional information regarding population trends and threats may be found in NMFS’ Stock Assessment Reports (SARs; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and more general information about these species (e.g., physical and behavioral descriptions) may be found on NMFS’ website (<https://www.fisheries.noaa.gov/find-species>).

Table 1 lists all species or stocks for which take is expected and authorized for this activity and summarizes information related to the population or stock, including regulatory status under the MMPA and Endangered Species Act (ESA) and potential biological removal (PBR), where known. PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS’ SARs). While no serious injury or mortality is anticipated or authorized here, PBR and annual serious injury and mortality (M/SI) from anthropogenic sources are included here as gross indicators of the status of the species or stocks and other threats.

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS’ stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS’ U.S. Pacific Marine Mammal SARs. All values presented in table 1 are the most recent available at the time of publication (including from the draft 2023 SARs) and are available online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>.

TABLE 1—MARINE MAMMAL SPECIES ¹ LIKELY TO OCCUR NEAR THE PROJECT AREA THAT MAY BE TAKEN BY USCG’S ACTIVITIES

Common name	Scientific name	Stock	ESA/ MMPA status; strategic (Y/N) ²	Stock abundance (CV, N _{min} , most recent abundance survey) ³	PBR	Annual M/SI ⁴
Odontoceti (toothed whales, dolphins, and porpoises)						
<i>Family Phocoenidae (porpoises):</i>						
Harbor Porpoise	<i>Phocoena phocoena</i>	Central Oregon ⁵	-, -, N	7,492 (0.421, 5,332, 2022).	53	0
Order Carnivora—Pinnipedia						
<i>Family Otariidae (eared seals and sea lions):</i>						
CA Sea Lion	<i>Zalophus californianus</i>	U.S.	-, -, N	257,606 (N/A, 233,515, 2014).	14,011	>321
Steller Sea Lion ⁶	<i>Eumetopias jubatus</i>	Eastern	-, -, N	36,308 (N/A, 36,308, 2022).	2,178	93.2
<i>Family Phocidae (earless seals):</i>						
Harbor Seal	<i>Phoca vitulina</i>	OR/WA Coastal	-, -, N	UNK (UNK, UNK, 1999)	UND	10.6

¹ Information on the classification of marine mammal species can be found on the web page for The Society for Marine Mammalogy’s Committee on Taxonomy (<https://marinemammalscience.org/science-and-publications/list-marine-mammal-species-subspecies/>; Committee on Taxonomy (2022)).
² Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.
³ NMFS marine mammal stock assessment reports online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>. CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance.
⁴ These values, found in NMFS’s SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.
⁵ New stock in 2023 SARs.
⁶ N_{est} is best estimate of counts, which have not been corrected for animals at sea during abundance surveys. Estimates provided are for the United States only.

All species that could potentially occur in the project areas are included in section 3 of the IHA application on page 12. While killer whales (*Orcinus orca*), humpback whales (*Megaptera novaeangliae*), and gray whales (*Eschrichtius robustus*) have been sighted off the Oregon coast, the USCG’s project is located in the Siuslaw River where these species do not occur. Therefore, the temporal and/or spatial occurrence of these species is such that take is not expected to occur, and they are not discussed further beyond the explanation provided here and in the USCG’s application. For more details on the species that are likely to occur near the project area and may be taken by

USCG’s activities, see sections 3 and 4 of USCG’s IHA application, the SARs, and NMFS’ website.

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Not all marine mammal species have equal hearing capabilities (e.g., Richardson *et al.*, 1995; Wartzok and Ketten, 1999; Au and Hastings, 2008). To reflect this, Southall *et al.*

(2007, 2019) recommended that marine mammals be divided into hearing groups based on directly measured (behavioral or auditory evoked potential techniques) or estimated hearing ranges (behavioral response data, anatomical modeling, *etc.*). Generalized hearing ranges were chosen based on the ~65 decibel (dB) threshold from composite audiograms, previous analyses in NMFS (2018), and/or data from Southall *et al.* (2007) and Southall *et al.* (2019). We note that the names of two hearing groups and the generalized hearing ranges of all marine mammal hearing groups have been recently updated (NMFS, 2024) as reflected below in table 2.

TABLE 2—MARINE MAMMAL HEARING GROUPS [NMFS, 2024]

Hearing group	Generalized hearing range*
Low-frequency (LF) cetaceans (baleen whales)	7 Hz to 36 kHz.
High-frequency (HF) cetaceans (dolphins, toothed whales, beaked whales, bottlenose whales)	150 Hz to 160 kHz.
Very High-frequency (VHF) cetaceans (true porpoises, <i>Kogia</i> , river dolphins, Cephalorhynchid, <i>Lagenorhynchus cruiciger</i> & <i>L. australis</i>).	200 Hz to 165 kHz.
Phocid pinnipeds (PW) (underwater) (true seals)	40 Hz to 90 kHz.
Otariid pinnipeds (OW) (underwater) (sea lions and fur seals)	60 Hz to 68 kHz.

* Represents the generalized hearing range for the entire group as a composite (*i.e.*, all species within the group), where individual species’ hearing ranges may not be as broad. Generalized hearing range chosen based on ~65 dB threshold from composite audiogram, previous analysis in NMFS 2018, and/or data from Southall *et al.* 2007; Southall *et al.* 2019. Additionally, animals are able to detect very loud sounds above and below that “generalized” hearing range.

For more detail concerning these groups and associated frequency ranges, please see NMFS (2024) for a review of available information.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

The effects of underwater noise from USCG's construction activities have the potential to result in harassment of marine mammals in the vicinity of the project area. The notice of proposed IHA (90 FR 7082, January 21, 2025) included a discussion of the effects of anthropogenic noise on marine mammals and the potential effects of underwater noise from the USCG's pile driving activities on marine mammals and their habitat. That information and analysis is referenced in the notice and is not repeated here; please refer to the notice of the proposed IHA (90 FR 7082, January 21, 2025).

Estimated Take of Marine Mammals

This section provides an estimate of the number of incidental takes authorized through the IHA, which will inform NMFS' consideration of "small numbers," the negligible impact determinations, and impacts on subsistence uses.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes will primarily be by Level B harassment, as use of the acoustic sources (*i.e.*, pile driving) has the potential to result in disruption of behavioral patterns for individual marine mammals. There is also some potential for auditory injury (Level A harassment) to result, primarily for very high frequency species and phocids because predicted auditory injury zones are larger than for high-frequency species and otariids. Auditory injury is unlikely to occur for high-frequency species and otariids. The mitigation and monitoring measures are expected to minimize the severity of the taking to the extent practicable. As described previously, no serious injury or

mortality is anticipated authorized for this activity. Below we describe how the take numbers are estimated.

For acoustic impacts, generally speaking, we estimate take by considering: (1) acoustic criteria above which NMFS believes the best available science indicates marine mammals will likely be behaviorally harassed or incur some degree of auditory injury; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine mammals within these ensonified areas; and, (4) the number of days of activities. We note that while these factors can contribute to a basic calculation to provide an initial prediction of potential takes, additional information that can qualitatively inform take estimates is also sometimes available (*e.g.*, previous monitoring results or average group size). Below, we describe the factors considered here in more detail and present the take estimates.

Acoustic Criteria

NMFS recommends the use of acoustic criteria that identify the received level of underwater sound above which exposed marine mammals will be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur auditory injury of some degree (equated to Level A harassment). We note that the criteria for auditory injury, as well as the names of two hearing groups, have been recently updated (NMFS 2024) as reflected below in the *Level A Harassment* section.

Level B Harassment—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source or exposure context (*e.g.*, frequency, predictability, duty cycle, duration of the exposure, signal-to-noise ratio, distance to the source), the environment (*e.g.*, bathymetry, other noises in the area, predators in the area), and the receiving animals (hearing, motivation, experience, demography, life stage, depth) and can be difficult to predict (*e.g.*, Southall *et al.*, 2007, 2021; Ellison *et al.*, 2012). Based on what the available science indicates and the practical need to use a threshold based on a metric that is both predictable and measurable for most activities, NMFS typically uses a generalized acoustic threshold based on received level to estimate the onset of behavioral

harassment. NMFS generally predicts that marine mammals are likely to be behaviorally harassed in a manner considered to be Level B harassment when exposed to underwater anthropogenic noise above root-mean-squared pressure received levels (RMS SPL) of 120 dB (referenced to 1 μ Pa) for continuous (*e.g.*, vibratory pile driving, drilling) and above RMS SPL 160 dB re 1 μ Pa for non-explosive impulsive (*e.g.*, seismic airguns) or intermittent (*e.g.*, scientific sonar) sources. Generally speaking, Level B harassment take estimates based on these behavioral harassment thresholds are expected to include any likely takes by temporary threshold shift (TTS) as, in most cases, the likelihood of TTS occurs at distances from the source less than those at which behavioral harassment is likely. TTS of a sufficient degree can manifest as behavioral harassment, as reduced hearing sensitivity and the potential reduced opportunities to detect important signals (conspecific communication, predators, prey) may result in changes in behavior patterns that would not otherwise occur.

USCG's planned activity includes the use of continuous (vibratory pile driving) and impulsive (impact pile driving) sources, and therefore the RMS SPL thresholds of 120 and 160 dB re 1 μ Pa are applicable.

Level A Harassment—NMFS' Updated Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 3.0) (Updated Technical Guidance, 2024) identifies dual criteria to assess auditory injury (Level A harassment) to five different underwater marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). USCG's planned activity includes the use of impulsive (impact pile driving) and non-impulsive (vibratory pile driving) sources.

The 2024 Updated Technical Guidance criteria include both updated thresholds and updated weighting functions for each hearing group. The thresholds are provided in table 3 below. The references, analysis, and methodology used in the development of the criteria are described in NMFS' 2024 Updated Technical Guidance, which may be accessed at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance-other-acoustic-tools>.

TABLE 3—THRESHOLDS IDENTIFYING THE ONSET OF AUDITORY INJURY

Hearing group	Auditory injury onset acoustic thresholds* (received level)	
	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	Cell 1: $L_{pk,flat}$: 222 dB; $L_{E,LF,24h}$: 183 dB	Cell 2: $L_{E,LF,24h}$: 197 dB.
High-Frequency (HF) Cetaceans	Cell 3: $L_{pk,flat}$: 230 dB; $L_{E,HF,24h}$: 193 dB	Cell 4: $L_{E,HF,24h}$: 201 dB.
Very High-Frequency (VHF) Cetaceans	Cell 5: $L_{pk,flat}$: 202 dB; $L_{E,VHF,24h}$: 159 dB	Cell 6: $L_{E,VHF,24h}$: 181 dB.
Phocid Pinnipeds (PW) (Underwater)	Cell 7: $L_{pk,flat}$: 223 dB; $L_{E,PW,24h}$: 183 dB	Cell 8: $L_{E,PW,24h}$: 195 dB.
Otariid Pinnipeds (OW) (Underwater)	Cell 9 $L_{pk,flat}$: 230 dB; $L_{E,OW,24h}$: 185 dB	Cell 10: $L_{E,OW,24h}$: 199 dB.

* Dual metric criteria for impulsive sounds: Use whichever criteria results in the larger isopleth for calculating auditory injury onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level criteria associated with impulsive sounds, the PK SPL criteria are recommended for consideration for non-impulsive sources.

Note: Peak sound pressure level ($L_{p,0-pk}$) has a reference value of 1 μ Pa, and weighted cumulative sound exposure level ($L_{E,p}$) has a reference value of 1 μ Pa²s. In this Table, criteria are abbreviated to be more reflective of International Organization for Standardization standards (ISO 2017; ISO 2020). The subscript “flat” is being included to indicate peak sound pressure are flat weighted or unweighted within the generalized hearing range of marine mammals underwater (i.e., 7 Hz to 165 kHz). The subscript associated with cumulative sound exposure level criteria indicates the designated marine mammal auditory weighting function (LF, HF, and VHF cetaceans, and PW and OW pinnipeds) and that the recommended accumulation period is 24 hours. The weighted cumulative sound exposure level criteria could be exceeded in a multitude of ways (i.e., varying exposure levels and durations, duty cycle). When possible, it is valuable for action proponents to indicate the conditions under which these criteria will be exceeded.

Ensonified Area

Here, we describe operational and environmental parameters of the activity that are used in estimating the area ensonified above the acoustic thresholds, including source levels and transmission loss coefficient.

The USCG opted to perform its own acoustic modeling for the Level A and Level B harassment isopleths using dBSea, a software developed by Marshall Day Acoustics for the modeling of underwater sound propagation in a variety of environments. Use of this model allowed USCG to incorporate site-specific information, therefore providing more accurate results than other more generalized tools. dBSea was also used in a previous construction project by the USCG (88 FR 77985, November 11, 2023). NMFS has reviewed USCG’s modeling and determined that it is acceptable for use here.

Marshall Day Acoustics built the model by importing bathymetry data

and placing noise sources in the environment. Each source can consist of equipment chosen from either the standard or the user-defined databases. Noise mitigation methods may also be included. The user has control over the seabed and water properties including sound speed profile, temperature, salinity, and current. To examine results in more detail, the model allows users to plot noise levels in cross sections, or extract a detailed spectrum at any point in the calculation area. USCG calculated noise levels to the deepest depth within the project area.

USCG derived representative acoustic modeling scenarios based on descriptions of the expected construction activities through consultations between the USCG project design and engineering teams. The team modeled activities that are expected to result in take of marine mammals (i.e., in-water pile driving and removal) at a location with characteristics representative of the project site. The USCG modeled the full range of

potential water depths in the project area at a single representative location. As described in the *Detailed Description of the Specified Activity* section of the notice of the proposed IHA (90 FR 7082, January 21, 2025), USCG may install a variety of pile types and sizes, and the exact pile sizes have not yet been determined. However, in an effort to avoid underestimating potential impacts to marine mammals, USCG conducted its analysis using the maximum possible pile size for each project use. Table 4 lists the sound source levels for each activity that USCG incorporated into the model. Table 5 shows the model-estimated Level A and Level B harassment isopleths for the planned activities. Please refer to the Acoustic Assessment included in USCG’s IHA application for additional details on the modeling principles and assumptions and a summary of construction and operational scenarios included in the underwater acoustic modeling analysis.

TABLE 4—ESTIMATES OF UNDERWATER SOUND SOURCES* GENERATED DURING VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL

Pile driving method	Pile type and size	db RMS	dB peak	db SEL	Reference
Impact installation	Steel pipe pile 24-in	194	207	178	Caltrans 2020.
	H-pile	178	200	166	Caltrans 2020.
Vibratory installation	Steel pipe pile 24-in	165	.....	.....	Caltrans 2020.
Vibratory removal	Timber	162	.....	.....	Caltrans 2020.

Note: dB peak = peak sound level; rms = root mean square; SEL = sound exposure level.

* All sound levels are referenced at 10 m.

TABLE 5—LEVEL A AND LEVEL B HARASSMENT ISOPLETHS

Size and type	Level A isopleth (m)			Level B isopleth (m)
	VHF	Phocids	Otariids	
Vibratory Installation and Removal				
24-in steel pipe pile installation	58	39	17	1,117
Timber removal	16	14	.....	1,106
Impact Installation				
24-in steel pipe pile	335	256	95	717
H-pile	96	35	18	110

Marine Mammal Occurrence and Take Calculation and Estimation

In this section, we provide information about the occurrence of marine mammals, including density or other relevant information which will inform the take calculations and describe how the information provided is synthesized to produce a quantitative estimate of the take that is reasonably likely to occur and authorized. The USCG uses marine mammal species densities from the Pacific Navy Marine Species Density Database to estimate take for marine mammals. This database incorporates analyzed literature and research for marine mammal density estimates per season for regions throughout the United States, and the

USCG based their take estimates on regionally available population density estimates and site-specific knowledge. Although this database provides densities for all species present in the action area, the densities are based on offshore abundance and not directly relevant to occurrence within the Siuslaw River. Following careful review of the analysis presented by the USCG in its application, including marine mammal occurrence data, NMFS has determined that different information inputs than those selected by the USCG, represent the best available scientific information for marine mammal abundance in the action area. These selections are discussed in greater detail below.

For all species, the numbers of individuals are based on average group sizes from Bates *et al.* (2023) that described marine mammal occurrences near Coos Bay, Oregon in 2014 and 2015. While Coos Bay is south of the action area, this area is more representative of the action area within the Siuslaw River than the offshore data in the application. We derived potential take estimates from the average group sizes recorded over the specified period in Bates *et al.* (2023) and used the occurrences of these sightings during the surveys, along with sightings in OBIS–SEAMAP around the action area, to estimate our sighting rates in the project vicinity (table 6).

TABLE 6—SPECIES RATE IN THE ACTION AREA

Species	Average group size	Sighting rate for action area
California sea lion	1.4	Group every other day.
Steller sea lion	1.8	Group every other day.
Harbor seal	1	2 groups/day.
Harbor porpoise	1.3	Group every other day.

To calculate the total estimated takes by Level B harassment, we multiplied the estimated days of activity by the associated average group size and sighting rate for each species (table 6). There is also some potential for take by Level A harassment of harbor seal and harbor porpoise during impact pile driving due to the largest zones of each species being greater than the shutdown zones and because of the cryptic nature and assumed lower detectability of these species.

Based on the relative proportion of the area expected to be ensonified above

the Level A harassment threshold for phocids from impact pile driving (approximately 0.14 square kilometers (km²)) to the area ensonified above the Level B harassment threshold (0.59 km² for impact pile driving), we estimated that of the total number of harbor seals that may be located within the greater Level B harassment zone, approximately 24 percent will enter the smaller Level A harassment zone (256 m) and stay in the zone long enough to incur auditory injury. Thus, we assume that 24 percent of the total estimated takes of harbor seals (96 individuals; see table 7) will be

by Level A harassment. Therefore, we are authorizing 23 takes of harbor seals by Level A harassment and 73 takes by Level B harassment (table 7). Take by Level A harassment for harbor porpoise was calculated in the same way as for harbor seals. For otariids, we are not authorizing take by Level A harassment as the shutdown zones are much larger than the Level A harassment zones for most activities, and the likely occurrence of otariids in the action area is much lower than for harbor porpoise and harbor seals.

TABLE 7—TAKE OF MARINE MAMMALS BY LEVEL A AND LEVEL B HARASSMENT BY SPECIES AND STOCK AND PERCENT OF STOCK ABUNDANCE

Species	Stock	Take by Level A harassment	Take by Level B harassment	Total take	Percent of stock taken
California sea lion	U.S	0	34	34	<0.1
Steller sea lion	Eastern	0	43	43	0.1
Harbor seal	Oregon/Washington Coast	23	73	96	0.4
Harbor porpoise	Central Oregon	11	20	31	0.4

Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to the activity, and other means of effecting the least practicable impact on the species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting the activity or other means of effecting the least practicable adverse impact upon the affected species or stocks, and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, NMFS considers two primary factors:

1. The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned), the likelihood of effective implementation (probability implemented as planned), and;

2. The practicability of the measures for applicant implementation, which may consider such things as cost, and impact on operations.

USCG must ensure that construction supervisors and crews, the monitoring team, and relevant USCG staff are trained prior to the start of all pile driving activity, so that responsibilities, communication procedures, monitoring protocols, and operational procedures

are clearly understood. New personnel joining during the project must be trained prior to commencing work.

Pre- and Post-Activity Monitoring

- Monitoring must take place from 30 minutes prior to initiation of pile driving activity (*i.e.*, pre-clearance monitoring) through 30 minutes post-completion of pile driving activity; and
- Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead protected species observer (PSO) to determine that the shutdown zones indicated in table 8 are clear of marine mammals. Pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals.

Soft Start

USCG must use soft start techniques when impact pile driving. Soft start requires contractors to provide an initial set of three strikes at reduced energy, followed by a 30 second waiting period, then two subsequent reduced-energy strike sets. A soft start must be implemented at the start of each day's impact pile driving and at any time following cessation of impact pile driving for a period of 30 minutes or longer.

Shutdown Zones

USCG will establish shutdown zones for all pile driving activities. The purpose of a shutdown zone is generally to define an area within which shutdown of the activity will occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area).

If a marine mammal is observed entering or within the shutdown zones indicated in table 8, pile driving must be delayed or halted. For in-water heavy machinery activities other than pile driving, if a marine mammal comes within 10 m, work must stop and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions. A 10 m shutdown zone will also serve to protect marine mammals from physical

interactions with project vessels during pile driving and other construction activities, such as barge positioning or drilling. If an activity is delayed or halted due to the presence of a marine mammal, the activity may not commence or resume until either the animal has voluntarily exited and been visually confirmed beyond the shutdown zone indicated in table 8 or 15 minutes have passed without re-detection of the animal. Construction activities must be halted upon observation of a species for which incidental take is not authorized or a species for which incidental take has been authorized but the authorized number of takes has been met entering or within the harassment zone.

All marine mammals will be monitored in the Level B harassment zones and throughout the area as far as visual monitoring can take place. If a marine mammal enters the Level B harassment zone, in-water activities will continue and the animal's presence within the estimated harassment zone will be documented.

USCG will also establish shutdown zones for all marine mammals for which take has not been authorized or for which incidental take has been authorized but the authorized number of takes has been met. These zones are equivalent to the Level B harassment zones for each activity. If a marine mammal species for which take is not authorized by this IHA enters the shutdown zone, all in-water activities will cease until the animal leaves the zone or has not been observed for at least 15 minutes, and USCG will notify NMFS about the species and precautions taken. Pile driving will proceed if the non-IHA species is observed to leave the Level B harassment zone or if 15 minutes have passed since the last observation.

If shutdown and/or clearance procedures will result in an imminent safety concern, as determined by USCG or its designated officials, the in-water activity will be allowed to continue until the safety concern has been addressed, and the animal will be continuously monitored.

TABLE 8—SHUTDOWN ZONES AND LEVEL B HARASSMENT ZONES

Activity	Minimum shutdown zone (m)			Level B harassment zone (m)
	VHF cetaceans	Phocid	Otariid	
Vibratory Removal	20	20	10	1,110
Vibratory Installation	60	40	20	1,120
Impact Installation	200	100	100	720

Protected Species Observers

The placement of PSOs during all construction activities (described in the Monitoring and Reporting section) will ensure that the entire shutdown zone is visible. Should environmental conditions deteriorate such that the entire shutdown zone will not be visible (e.g., fog, heavy rain), pile driving will be delayed until the PSO is confident marine mammals within the shutdown zone could be detected.

The USCG must employ PSOs and establish monitoring locations as described in the application and the IHA. PSOs will monitor the full shutdown zones and the Level B harassment zones to the extent practicable. Monitoring zones provide utility for observing by establishing monitoring protocols for areas adjacent to the shutdown zones. Monitoring zones enable observers to be aware of and communicate the presence of marine mammals in the project areas outside the shutdown zones and thus prepare for a potential cessation of activity should the animal enter the shutdown zone.

Bubble Curtain

A bubble curtain must be employed during all impact pile installation. The bubble curtain must be deployed in a manner guaranteed to distribute air bubbles around 100 percent of the piling perimeter for the full depth of the water column. The lowest bubble ring must be in contact with the mudline for the full circumference of the ring. The weights attached to the bottom ring must ensure 100 percent mudline contact. No parts of the ring or other objects may prevent full mudline contact. Air flow to the bubblers must be balanced around the circumference of the pile.

Based on our evaluation of USCG's measures, as well as other measures considered by NMFS, NMFS has determined that the mitigation measures provide the means effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104(a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present while conducting the activities. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (e.g., presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) action or environment (e.g., source characterization, propagation, ambient noise); (2) affected species (e.g., life history, dive patterns); (3) co-occurrence of marine mammal species with the activity; or (4) biological or behavioral context of exposure (e.g., age, calving or feeding areas);
- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (e.g., marine mammal prey species, acoustic habitat, or other important

physical components of marine mammal habitat); and,

- Mitigation and monitoring effectiveness.

Visual Monitoring

Marine mammal monitoring must be conducted in accordance with the conditions in this section and the IHA. Marine mammal monitoring during pile driving activities must be conducted by PSOs meeting the following requirements:

- PSOs must be independent of the activity contractor (for example, employed by a subcontractor) and have no other assigned tasks during monitoring periods;
 - At least one PSO must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization;
 - Other PSOs may substitute relevant experience, education (degree in biological science or related field), or training for prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization; and,
 - Where a team of three or more PSOs is required, a lead observer or monitoring coordinator will be designated. The lead observer will be required to have prior experience performing the duties of a PSO during construction activities pursuant to a NMFS-issued incidental take authorization.
- PSOs must have the following additional qualifications:
- Ability to conduct field observations and collect data according to assigned protocols;
 - Experience or training in the field identification of marine mammals, including the identification of behaviors;
 - Sufficient training, orientation, or experience with the construction operation to provide for personal safety during observations;
 - Writing skills sufficient to prepare a report of observations including but not limited to the number and species of marine mammals observed; dates and times when in-water construction activities were conducted; dates, times

and reason for implementation of mitigation (or why mitigation was not implemented when required); and marine mammal behavior; and,

- Ability to communicate orally, by radio or in person, with project personnel to provide real-time information on marine mammals observed in the area as necessary.

USCG must assign a minimum of two PSOs to monitor during pile driving. One PSO must be stationed at the pile driving site, and the second PSO must be stationed at the best practicable location for monitoring the Level A and Level B harassment zones. Possible PSOs locations include the staging barges, on shore at the project site, or at the entrance to the commercial dock area. All PSOs will have access to high-quality binoculars, range finders to monitor distances, and a compass to record bearing to animals as well as radios or cell phones for maintaining contact with work crews.

Monitoring will be conducted 30 minutes before, during, and 30 minutes after all in water construction activities. In addition, PSOs will record all incidents of marine mammal occurrence, regardless of distance from activity, and will document any behavioral reactions in concert with distance from piles being driven or removed. Pile driving activities include the time to install or remove a single pile or series of piles, as long as the time elapsed between uses of the pile driving equipment is no more than 30 minutes.

USCG shall conduct briefings between construction supervisors and crews, PSOs, USCG staff prior to the start of all pile driving activities and when new personnel join the work. These briefings must explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures.

Reporting

A draft marine mammal monitoring report will be submitted to NMFS within 90 days after the completion of pile driving and removal activities, or 60 days prior to a requested date of issuance from any future IHAs for projects at the same location, whichever comes first. The report will include an overall description of work completed, a narrative regarding marine mammal sightings, and associated PSO data sheets.

Specifically, the report must include:

- Dates and times (begin and end) of all marine mammal monitoring;
- Construction activities occurring during each daily observation period, including the number and type of piles driven or removed and by what method

(*i.e.*, impact) and the total equipment duration for vibratory removal for each pile or total number of strikes for each pile (impact driving);

- PSO locations during marine mammal monitoring;
- Environmental conditions during monitoring periods (at beginning and end of PSO shift and whenever conditions change significantly), including Beaufort sea state and any other relevant weather conditions including cloud cover, fog, sun glare, and overall visibility to the horizon, and estimated observable distance;

- Upon observation of a marine mammal, the following information: (1) Name of PSO who sighted the animal(s) and PSO location and activity at the time of sighting; (2) Time of sighting; (3) Identification of the animal(s) (*e.g.*, genus/species, lowest possible taxonomic level, or unidentifiable), PSO confidence in identification, and the composition of the group if there is a mix of species; (4) Distance and bearing of each marine mammal observed relative to the pile being driven for each sightings (if pile driving was occurring at time of sighting); (5) Estimated number of animals (min/max/best estimate); (6) Estimated number of animals by cohort (adults, juveniles, neonates, group composition, sex class, *etc.*); (7) Animal's closest point of approach and estimated time spent within the harassment zone; (8) Description of any marine mammal behavioral observations (*e.g.*, observed behaviors such as feeding or traveling), including an assessment of behavioral responses thought to have resulted from the activity (*e.g.*, no response or changes in behavioral state such as ceasing feeding, changing direction, flushing, or breaching);

- Number of marine mammals detected within the harassment zones and shutdown zones; by species; and,
- Detailed information about any implementation of any mitigation triggered (*e.g.*, shutdowns and delays), a description of specific actions that ensured, and resulting changes in behavior of the animal(s), if any.

If no comments are received from NMFS within 30 days, the draft final report will constitute the final report. If comments are received, a final report addressing NMFS comments must be submitted within 30 days after receipt of comments.

Reporting Injured or Dead Marine Mammals

In the event that personnel involved in the construction activities discover an injured or dead marine mammal, the USCG must immediately cease the

specified activities and report the incident to the Office of Protected Resources (OPR)

(*PR.ITP.MonitoringReports@noaa.gov*), NMFS and to the West Coast Regional Stranding Coordinator as soon as feasible. If the death or injury was clearly caused by the specified activity, USCG must immediately cease the specified activities until NMFS is able to review the circumstances of the incident and determine what, if any, additional measures are appropriate to ensure compliance with the terms of the IHA. The USCG must not resume their activities until notified by NMFS. The report must include the following information:

- Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
- Species identification (if known) or description of the animal(s) involved;
- Condition of the animal(s) (including carcass condition if the animal is dead);
- Observed behaviors of the animal(s), if alive;
- If available, photographs or video footage of the animal(s); and,
- General circumstances under which the animal was discovered.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.*, population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be "taken" through harassment, NMFS considers other factors, such as the likely nature of any impacts or responses (*e.g.*, intensity, duration), the context of any impacts or responses (*e.g.*, critical reproductive time or location, foraging impacts affecting energetics), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS' implementing regulations (54 FR 40338, September 29, 1989), the impacts from other past and

ongoing anthropogenic activities are incorporated into this analysis via their impacts on the baseline (e.g., as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

To avoid repetition, our analysis applies to all species listed in table 1 for which take could occur, given that NMFS expects the anticipated effects of the planned pile driving and removal on different marine mammal stocks to be similar in nature. Where there are meaningful differences between species or stocks, or groups of species, in anticipated individual responses to activities, impact of expected take on the population due to differences in population status, or impacts on habitat, NMFS has identified species-specific factors to inform the analysis.

Pile driving activities associated with the USCG construction project have the potential to disturb or displace marine mammals. Specifically, the project activities may result in take, in the form of Level A and Level B harassment, from underwater sounds generated from pile driving and removal. Potential takes could occur if individuals are present in the ensonified zone when these activities are underway.

The takes by Level B harassment will be due to potential behavioral disturbance and TTS. Takes by Level A harassment will be due to auditory injury. No serious injury or mortality is expected, even in the absence of required mitigation measures, given the nature of the activities. The potential for harassment will be further minimized through the construction method and the implementation of the planned mitigation measures (see Mitigation section). Take by Level A harassment is authorized for harbor seals and harbor porpoise to account for the possibility that an animal could enter a Level A harassment zone prior to detection, and remain within that zone for a duration long enough to incur auditory injury before being observed and the USCG shutting down pile driving activity. The Level A harassment zones identified in table 6 are based upon an animal's exposure to pile driving of up to three of the largest steel piles per day. Given the short duration to vibratory or impact drive each pile and breaks between pile installations (to reset equipment and move piles into place), an animal will have to remain within the area estimated to be ensonified above the Level A harassment threshold for multiple hours. This is highly unlikely given marine mammal movement in the area. The number of takes by Level A

harassment authorized is very low for both marine mammal species. Any take by Level A harassment is expected to arise from, at most, a small degree of auditory injury, *i.e.*, minor degradation (likely only a few dB) of hearing capabilities within regions of hearing that align most completely with the energy produced by vibratory and impact pile driving (*i.e.*, the low-frequency region below 2 kHz), not severe hearing impairment or impairment within the ranges of greatest hearing sensitivity. Animals will need to be exposed to higher levels and/or longer duration than are expected to occur here in order to incur any more than a small degree of auditory injury. Due to the small degree anticipated, any auditory injury incurred will not be expected to affect the reproductive success or survival of any individuals, much less result in adverse impacts on the species or stock.

Additionally, some subset of the individuals that are behaviorally harassed could also simultaneously incur some small degree of TTS for a short duration of time. However, since the hearing sensitivity of individuals that incur TTS is expected to recover completely within minutes to hours, it is unlikely that the brief hearing impairment will affect the individual's long-term ability to forage and communicate with conspecifics, and will therefore not likely impact reproduction or survival of any individual marine mammal, let alone adversely affect rates of recruitment or survival of the species or stock.

Behavioral responses of marine mammals to pile driving in the Siuslaw River are expected to be mild, short term, and temporary. Marine mammals within the Level B harassment zones may not show any visual cues they are disturbed by activities or they could become alert, avoid the area, leave the area, or display other mild responses that are not observable, such as changes in vocalization patterns. Given that pile driving will occur for only a portion of the project's duration, any harassment will be temporary. Additionally, many of the species present in region will only be present temporarily based on seasonal patterns or during transit between other habitats. These temporarily present species will be exposed to even smaller periods of noise-generating activity, further decreasing the impacts.

Any impacts on marine mammal prey that will occur during USCG's planned activity will have, at most, short-term effects on foraging of individual marine mammals, and likely no effect on the populations of marine mammals as a

whole. Indirect effects on marine mammal prey during the construction are expected to be minor, and these effects are unlikely to cause substantial effects on marine mammals at the individual level, with no expected effect on annual rates of recruitment or survival.

For all species and stocks, take will occur within a limited, confined area (adjacent to the project site) of the stock's range, and, there are no known biologically important areas (BIAs) near the project area that will be impacted by USCG's activities. While harbor seal is the species most likely to occur within the immediate project area, the nearest haulout is outside of the ensonified areas. There are known haulout sites for harbor seals near the project area including across the river and upriver from the action area, the closest being 400 m from the project area. Although, the most recent survey taken of this area was in 2014. There are no other haulouts in the immediate project vicinity; the next closest haulout is 129 km away.

In addition, it is unlikely that minor noise effects in a small, localized area of habitat will have any effect on the reproduction or survival of any individuals, much less the stocks' annual rates of recruitment or survival. In combination, we believe that these factors, as well as the available body of evidence from other similar activities, demonstrate that the potential effects of the specified activities would have only minor, short-term effects on individuals. The specified activities are not expected to impact rates of recruitment or survival and would therefore not result in population-level impacts.

In summary and as described above, the following factors primarily support our determination that the impacts resulting from this activity are not expected to adversely affect any of the species or stocks through effects on annual rates of recruitment or survival:

- No serious injury or mortality is anticipated or authorized;
- Take by Level A harassment is authorized for harbor seal and harbor porpoise only and will be very small amounts and of a low degree;
- For all species and stocks, the Siuslaw River is a very small and peripheral part of their range;
- The intensity of anticipated takes by Level B harassment is relatively low for all stocks. Level B harassment will be primarily in the form of behavioral disturbance, resulting in avoidance of the project areas around where impact or vibratory pile driving is occurring, with some low-level TTS that may limit the detection of acoustic cues for

relatively brief amounts of time in relatively confined footprints of the activities;

- Effects on species that serve as prey for marine mammals from the activities are expected to be short-term and, therefore, any associated impacts on marine mammal feeding are not expected to result in significant or long-term consequences for individuals, or to accrue to adverse impacts on their populations;

- The project area does not overlap any areas of known important habitat for marine mammals;

- The ensouffied areas are very small relative to the overall habitat ranges of all species and stocks; and,

- The lack of anticipated significant or long-term negative effects to marine mammal habitat.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the planned activities will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted previously, only take of small numbers of marine mammals may be authorized under sections 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one-third of the species or stock abundance, the take is considered to be of small numbers. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities. For all species, the take is below one third of the population for all marine mammal stocks (table 7).

Based on the analysis contained herein of the planned activity (including the mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks will not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act

Section 7(a)(2) of the ESA of 1973 (16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we authorize take for endangered or threatened species.

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Authorization

NMFS has issued an IHA to the USCG for the potential harassment of small numbers of four marine mammal species incidental to the Station Siuslaw River Construction Project in Florence, Oregon, that includes the previously explained mitigation, monitoring and reporting requirements.

Dated: March 19, 2025.

Catherine Marzin,

Acting Director, Office of Protected Resources,
National Marine Fisheries Service.

[FR Doc. 2025–04995 Filed 3–24–25; 8:45 am]

BILLING CODE 3510–22–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Days of Service Project Collection Tool

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled Days of Service Project Collection Tool for review and approval in accordance with the Paperwork Reduction Act.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by April 24, 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: Copies of this ICR, with applicable supporting documentation, may be obtained by calling AmeriCorps, Rhonda Taylor, 202–606–6721, or by email to RTaylor@americorps.gov.
SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;

- 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;

- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and

- Propose 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

A 60-day Notice requesting public comment was published in the **Federal Register** on January 17, 2025 at 90 FR 5834. This comment period ended March 18, 2025. No public comments were received from this Notice.

Title of Collection: Days of Service Project Collection Tool.

OMB Control Number: 3045–0122.

Type of Review: Renewal.

Respondents/Affected Public: Businesses and Organizations.

Total Estimated Number of Annual Responses: 100,000.

Total Estimated Number of Annual Burden Hours: 16,667.

Abstract: AmeriCorps is seeking approval to renew its Days of Service Project Tool, which allows organizers of volunteer events to register their service projects that are associated with Martin Luther King, Jr., Service Day, September 11th Day of Service, and other volunteer events. Respondents include national service grantees, corporations, volunteer organizations, government entities, and individuals. Information provided is purely voluntary and will not be used for any grant or funding support. No changes are being requested to this information collection. The current application is due to expire on March 31, 2025.

Rhonda Taylor,

Director of Partnerships and Program Engagement.

[FR Doc. 2025–04996 Filed 3–24–25; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Department of the Air Force Scientific Advisory Board; Notice of Federal Advisory Committee Meeting

AGENCY: Department of the Air Force Scientific Advisory Board, Department of the Air Force.

ACTION: Notice of withdrawal.

SUMMARY: The previous Department of the Air Force Scientific Advisory Board **Federal Register** Notice, Vol. 90, No. 12154, published on Friday March 14, 2025, is hereby withdrawn. The Department of the Air Force Scientific Advisory Board Meeting to be held on March 27–28, 2025 is cancelled. The

Department of the Air Force Scientific Advisory Board has been directed to pause all operations for 45 days effective Friday, March 7, 2025, Office of the Secretary of Defense memorandum, “Review of Department of Defense Advisory Committees”.

FOR FURTHER INFORMATION CONTACT: Lt Col Steven Ingraham, (240) 470–4566 (Voice), steven.ingraham@us.af.mil (Email). Mailing address is 1500 West Perimeter Road, Ste. #3300, Joint Base Andrews, MD 20762. Website: <https://www.scientificadvisoryboard.af.mil/>.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–04999 Filed 3–24–25; 8:45 am]

BILLING CODE 3911–44–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: RP25–709–000.

Applicants: Greylock Pipeline, LLC.

Description: Tariff Amendment: Cancellation of whole tariff to be effective 3/17/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5093.

Comment Date: 5 p.m. ET 3/31/25.

Docket Numbers: RP25–710–000.

Applicants: Great Basin Gas

Transmission Company.

Description: § 4(d) Rate Filing: Non-Conforming Service Agreement Nos. F32, F34, and F51 to be effective 4/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5069.

Comment Date: 5 p.m. ET 3/31/25.

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: RP25–370–001.

Applicants: Kern River Gas

Transmission Company.

Description: Compliance filing: 2025 NAESB 4.0 Supplemental Compliance Filing to be effective 8/1/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5208.

Comment Date: 5 p.m. ET 3/31/25.

Any person desiring to protest in any of 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: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: March 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–04964 Filed 3–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25–64–000.

Applicants: BGTF II Adonis Aggregator LLC, NGV NGR Acquisition Co, LLC on behalf of its Public Utility Subsidiaries.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of NGV NGR Acquisition Co, LLC, et al.

Filed Date: 3/14/25.

Accession Number: 20250314–5356.

Comment Date: 5 p.m. ET 4/4/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–234–000.

Applicants: VESI 37 LLC.

Description: VESI 37 LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/17/25.

Accession Number: 20250317–5245.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: EG25–235–000.

Applicants: Steele Flats Energy Storage, LLC.

Description: Steele Flats Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/18/25.

Accession Number: 20250318–5068.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: EG25–236–000.

Applicants: Northern Divide Energy Storage, LLC.

Description: Northern Divide Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/18/25.

Accession Number: 20250318–5143.

Comment Date: 5 p.m. ET 4/8/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–1145–000.

Applicants: NorthWestern Corporation.

Description: Annual Filing of Post-Employment Benefits Other than Pensions for 2024 of NorthWestern Corporation.

Filed Date: 1/31/25.

Accession Number: 20250131–5509.

Comment Date: 5 p.m. ET 4/1/25.

Docket Numbers: ER25–1649–000.

Applicants: Central 40, LLC.

Description: § 205(d) Rate Filing: Central 40, LLC Change in Status to be effective 3/18/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5179.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: ER25–1650–000.

Applicants: Tulare Solar Center, LLC.

Description: § 205(d) Rate Filing: Tulare Solar Center, LLC Change in Status to be effective 3/18/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5182.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: ER25–1651–000.

Applicants: Pioneer Solar (CO), LLC.

Description: § 205(d) Rate Filing: Pioneer Solar (CO), LLC Change in Status to be effective 3/18/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5183.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: ER25–1673–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original GIA & CSA, SA Nos. 7594 & 7595; Project Identifier No. AF1–118 to be effective 2/13/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5205.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: ER25–1674–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–03–17_Att X—Expedited Resource Addition Study (ERAS) to be effective 5/17/2025.

Filed Date: 3/17/25.

Accession Number: 20250317–5212.

Comment Date: 5 p.m. ET 4/7/25.

Docket Numbers: ER25–1683–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1628R28 Western Farmers Electric Cooperative NITSA NOAs to be effective 3/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5024.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1684–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 2155R2 Sunflower Electric Power Corporation NITSA and NOA to be effective 3/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5034.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1685–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1266R18 Kansas Municipal Energy Agency NITSA and NOA to be effective 3/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5041.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1686–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3552R7 TEA and MEAN Meter Agent Agreement to be effective 4/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5056.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1687–000.

Applicants: AEP Texas Inc.

Description: § 205(d) Rate Filing: AEPTX-Citrus Flatts Energy Center 1st Amended GIA to be effective 3/6/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5063.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1688–000.

Applicants: AEP Texas Inc.

Description: § 205(d) Rate Filing: AEPTX–BT Cantwell 5th Amended Generation Interconnection Agreement to be effective 3/1/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5065.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1689–000.

Applicants: VIOTAS Texas LLC.
Description: § 205(d) Rate Filing: Initial Application to be effective 3/28/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5073.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1690–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Revisions to Att O to Clarify Script C4 High Priority Study Modification (RR545) to be effective 5/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5074.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1691–000.

Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits one Engineering and Construction Agreement SA No. 6942 to be effective 5/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5084.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1692–000.

Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits one Engineering and Construction Agreement SA No. 7265 to be effective 5/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5085.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1693–000.

Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits one Engineering and Construction Agreement SA No. 7276 to be effective 5/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5086.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1694–000.

Applicants: Arizona Public Service Company.

Description: § 205(d) Rate Filing: Service Agreement No. 431 to be effective 2/18/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5098.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1696–000.
Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF–FMPA–FMPP DTA RS No. 467 to be effective 5/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5120.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1698–000.

Applicants: Midcontinent Independent System Operator, Inc., Great River Energy.

Description: § 205(d) Rate Filing: Great River Energy submits tariff filing per 35.13(a)(2)(iii): 2025–03–18_GRE Request for Transmission Rate Incentives (LRTP 2.1) to be effective 5/18/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5131.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: ER25–1699–000.

Applicants: ISO New England Inc., The United Illuminating Company.

Description: § 205(d) Rate Filing: The United Illuminating Company submits tariff filing per 35.13(a)(2)(iii): UI; Revisions to Attachment F to Correct Minor Errors in Formula Rate Worksheets to be effective 3/19/2025.

Filed Date: 3/18/25.

Accession Number: 20250318–5132.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: TX25–3–000.

Applicants: Chula Vista Energy Center 2, LLC.

Description: Application for Order Directing Transmission Service and Interconnection of Facilities of Chula Vista Energy Center 2, LLC.

Filed Date: 3/13/25.

Accession Number: 20250313–5248.

Comment Date: 5 p.m. ET 4/3/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: March 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–04965 Filed 3–24–25; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. P–15331–001]

Marlow Hydro LLC; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. *Type of Application:* Original Minor License.
- b. *Project No.:* P–15331–001.
- c. *Date filed:* July 31, 2024.
- d. *Applicant:* Marlow Hydro, LLC (Marlow Hydro).
- e. *Name of Project:* Nash Mill Dam Hydroelectric Project.
- f. *Location:* On the Ashuelot River, in town of Marlow, Cheshire County, New Hampshire.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).
- h. *Applicant Contact:* Anthony B. Rosario, Marlow Hydro, 139 Henniker St., Hillsborough, NH 03244; Phone at (603) 494–1854; or email at t-iem@tds.net.
- i. *FERC Contact:* Prabha Madduri at 202–502–8017, or prabharanjani.madduri@ferc.gov.
- j. *Deadline for filing scoping comments:* April 17, 2025.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.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>. For assistance, please contact FERC Online Support at

FERCOOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). 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. The first page of any filing should include the project name and docket number on the first page: Nash Mill Dam Hydroelectric Project (P–15331–001).

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 is not ready for environmental analysis at this time.

l. *The proposed Nash Mill Project consists of the following existing facilities:* (1) a 57-foot-long, 9-foot-high, concrete gravity dam topped with 3-foot-high collapsible wooden flashboards with a crest elevation of 1,133.41 feet North American Vertical Datum 1988 (NAVD 88) at the top of the flashboards; (2) a 2-acre impoundment; (3) an intake structure on the north side of the dam equipped with a 10-foot-high by 10-foot-wide trash rack with 1-inch clear bar spacing; (4) a 4-foot-diameter, 1,525-foot-long, round steel penstock that trifurcates into two 2-foot-diameter penstocks and one 4-foot-diameter pipe; (5) a 31-foot-long by 18-foot-wide powerhouse that contains two vertical-shaft, fixed propeller turbine-generator units and one horizontal-shaft turbine-generator unit for a total installed capacity of 225 kilowatts; (6) a 600-foot-long tailrace; (7) a 1,800-foot-long bypassed reach; (8) a 0.48 kilovolt (kV), 75 kilo-volt-ampere transformer; (9) a 1,830-foot-long, 12.5-kV transmission line; and (10) appurtenant facilities.

Marlow Hydro currently operates the project in a run-of-river mode. The current license requires Marlow Hydro to release a continuous minimum flow of 23 cubic feet per second (cfs) from the project as measured downstream of the powerhouse, with a continuous flow of 5.2 cfs over the dam. From 2016 to 2020, average annual generation of the Nash Mill Project was 552 megawatt-hours.

Marlow Hydro proposes to continue operating the project in a run-of-river mode and would increase the bypass flow from 5.2 cfs to 14.5 cfs.

m. A copy of the application can 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 address the document. For assistance, contact FERC Online Support. A copy is available for inspection and reproduction at the address in Item H above.

You may also register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> 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, environmental justice communities, 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. *Scoping Process:* Pursuant to the National Environmental Policy Act (NEPA), Commission staff intends to prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the “NEPA document”) that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission’s scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

At this time, we do not anticipate holding an on-site scoping meeting. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued March 18, 2025. Copies of the SD1 outlining the subject areas to be addressed in the NEPA document were distributed to the parties on the Commission’s mailing list and the applicant’s distribution list. Copies of the SD1 may be viewed on the web 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 (see item m above).

Dated: March 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–04966 Filed 3–24–25; 8:45 am]

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FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0072; –0093; –0111; –0136 and –0171]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the request to renew the existing information collections described below (OMB Control No. 3064–0072; –0093; –0111; –0136; and –0171). The notices of proposed renewal for these information collections were previously published in the **Federal**

Register on January 23, 2025, allowing for a 60-day comment period.

DATES: Comments must be submitted on or before April 24, 2025.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website:* <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- *Email:* comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

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 these particular information collections by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202–898–3767, mcabeza@fdic.gov, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

1. *Title:* Acquisition Services Information Requirements.
OMB Number: 3064–0072.
Form Number: 1600/04; 1600/07; 3700/04A; 3700/12; 3700/44; 3700/57.
Affected Public: Private sector, business and other for-profit entities.
Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB No. 3064–0072)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Request for Proposal and Request for Quotation—Solicitation/Award (Form 3700/55) (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	634	1	10:36	6,720
2. Request for Information (Voluntary)	Reporting (On Occasion)	104	1	55:24	5,762
3. Background Investigation Questionnaire for Contractor Personnel and Subcontractors (Form 1600/04), 12 CFR Part 366 (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	581	1	00:20	194

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064-0072)—Continued

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
4. Background Investigation Questionnaire for Contractors (Form 1600/07), 12 CFR Part 366 (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	223	1	00:30	112
5. Leasing Representations and Certifications (Form 3700/44), 12 CFR Part 366 (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	40	1	01:00	40
6. Past Performance Questionnaire (Form 3700/57) (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	474	1	00:45	356
7. Contractor Representations and Certifications (Form 3700/04A) (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	00:45	1
8. Integrity and Fitness Representations and Certifications (Form 3700/12) (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	00:20	0
9. Prize Competitions—Application (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	01:00	1
10. Prize Competitions—Proposal (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	60:00	60
11. Innovation Pilot Programs—Application (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	20:00	20
12. Innovation Pilot Programs—Proposal (Required to Obtain or Retain Benefits).	Reporting (On Occasion)	1	1	60:00	60
Total Annual Burden (Hours) .....	.....	.....	.....	.....	13,326

Source: FDIC.

General Description of Collection:
 This information collection involves the submission of various forms by (1) contractors who wish to do business with the FDIC or are currently under contract with the FDIC, (2) those vendors and parties participating in innovation pilot programs and prize competitions with the possibility of being awarded a contract, and (3) government agencies or commercial businesses that provide FDIC with past performance information. The Federal Deposit Insurance Act (12 U.S.C. 1819) empowers the FDIC to enter into contracts using private sector contractors to provide goods or services. Many of these contracts are in service to

mission essential functions, including resolutions. The Act also provides that the FDIC may promulgate policies and procedures to administer the powers granted to it, including the power to enter into contracts. Pursuant to such policies, the Acquisition and Corporate Services Branch of the FDIC’s Division of Administration has developed forms and clauses to facilitate the procurement of goods and services from private sector contractors. The information collected through these forms and clauses fall under the definition of collection of information under the Paperwork Reduction Act of 1995 (PRA). There is no change in the methodology or substance of this

information collection. The decrease in total estimated annual burden from 21,234 hours in 2022 to 13,326 hours currently is due to the deletion of the former IC associated with Form 1600/10.

2. *Title:* Notices Required of Government Securities Dealers or Brokers (Insured State Nonmember Banks).

OMB Number: 3064-0093.
Form Number: G-FIN; G-FINW; G-FIN-4; G-FIN-5.

Affected Public: Insured State nonmember banks acting as government securities brokers and dealers.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064-0093)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Notice by Financial Institutions of Government Securities Broker or Government Securities Dealer Activities (G-FIN), 17 CFR Part 401 (Mandatory).	Reporting (On Occasion)	2	1	01:00	2
2. Notice by Financial Institutions of Termination of Activities as a Government Securities Broker or Government Securities Dealer (G-FINW), 17 CFR Part 401 (Mandatory).	Reporting (On Occasion)	2	1	02:00	4
3. Disclosure Form for Person Associated with a Financial Institution Securities Broker or Dealer (G-FIN-4), 17 CFR Part 401 (Mandatory).	Reporting (On Occasion)	2	1	02:00	4

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064-0093)—Continued

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
4. Uniform Termination Notice for Persons Associated with a Financial Institution Government Securities Broker or Dealer (G-FIN-5), 17 CFR Part 401 (Mandatory).	Reporting (On Occasion)	2	2	00:15	1
Total Annual Burden (Hours) .....	.....	.....	.....	.....	11

Source: FDIC.

General Description of Collection: The Government Securities Act of 1986 requires all financial institutions acting as government securities brokers and dealers to notify their Federal regulatory agencies of their broker dealer activities, unless exempted from the notice requirements by Treasury Department regulation. The Form G-FIN and Form G-FINW are used by insured State nonmember banks that are government securities brokers or dealers to notify the FDIC of their status or that they have ceased to function as a government securities broker or dealer. The Form G-

FIN-4 is used by associated persons of insured State nonmember banks that are government securities brokers or dealers to provide certain information to the bank and to the FDIC concerning employment, residence, and statutory disqualification. The Form G-FIN-5 is used by insured State nonmember banks that are government securities brokers or dealers to notify the FDIC that an associated person is no longer associated with the government securities broker or dealer function of the bank. There is no change in the method or substance of the collection.

The overall decrease in burden hours is driven both by the decrease in the estimated annual number of responses and the changes to the estimated time per response.

3. *Title:* Activities and Investments of Insured Depository Institutions.

OMB Number: 3064-0111.

Form Number: None.

Affected Public: Insured State nonmember banks and insured State savings associations.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064-0111)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Application or Notice to engage in certain activities—12 CFR Part 362. (Mandatory).	Recordkeeping (Annual)	32	1.1	08:00	280
Total Annual Burden (Hours) .....	.....	.....	.....	.....	280

Source: FDIC.

General Description of Collection: Section 24 of the Federal Deposit Insurance (FDI Act), 12 U.S.C. 1831a, limits investments and other activities in which State banks may engage, as principal, to those permissible for national banks and those approved by the FDIC under procedures set forth in 12 CFR part 362 of the FDIC's Rules and Regulations. With certain exceptions, section 24 of the FDI Act limits the activities and investments of State banks to those activities and investments that are permissible for national banks. In addition, the statute prohibits a State bank from directly engaging, as a principal, in any activity or investment that is not permissible for a national bank, or indirectly through a subsidiary in an activity or investment that is not

permissible for a subsidiary of a national bank, unless such bank meets its minimum capital requirements and the FDIC determines that the activity or investment does not pose a significant risk to the Deposit Insurance Fund (DIF). The FDIC can make such a determination for exception by regulation or by order. Section 28(a), 12 U.S.C. 1831e, similarly limits the investments and activities of State savings associations and their service corporations to those permitted by Federal savings associations and their service corporations, absent FDIC approval. Part 362 details the activities that State banks or their subsidiaries may engage in, under certain criteria and conditions and identifies the information that State banks must

furnish to the FDIC in order to obtain the FDIC's approval or non-objection. Part 362 also applies to the activities and investments of State savings associations and their subsidiaries. There is no change in the method or substance of the collection. The increase in burden hours from 232 hours in 2022 to 280 hours currently is the result of increasing the number of respondents and the number of responses per respondent to account for economic fluctuation.

4. *Title:* Privacy of Consumer Financial Information.

OMB Number: 3064-0136.

Form Number: None.

Affected Public: Insured State nonmember banks and consumers.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB No. 3064–0136)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
IC1: Initial drafting of Notice to Consumers (12 CFR 1016.4) (Mandatory).	Disclosure (Annual)	83	1	240:00	19,920
IC2: Annual notice and change in terms (12 CFR 1016.5) (Mandatory).	Disclosure (Annual)	349	1	60:00	20,940
IC3: Opt-out Notice (12 CFR 1016.7) (Mandatory)	Disclosure (Annual)	182	1	8:00	1,456
IC4: Consumer opt-out (12 CFR 1016.10) (Mandatory)	Recordkeeping (Annual)	182	1	1:00	182
Total Annual Burden (Hours) .....	.....	.....	.....	.....	42,498

Source: FDIC.

General Description of Collection: The elements of this collection are required under sections 503 and 504 of the Gramm-Leach-Bliley Act, 15 U.S.C. 6803, 6804. The collection mandates notice requirements and restrictions on a financial institution’s ability to disclose nonpublic personal information

about consumers to nonaffiliated third parties. There is no change in the method or substance of the collection. The overall decrease in burden hours is the result of economic fluctuation. In particular, the determination that regulation P has de minimis burden on consumers to opt out.

5. *Title:* Registration of Mortgage Loan Originators.
OMB Number: 3064–0171.
Form Number: None.
Affected Public: FDIC-supervised institutions and employee mortgage loan originators.
Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB No. 3064–0171)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Financial Institution Policies and Procedures for Ensuring Employee-Mortgage Loan Originator Compliance with SAFE Act Requirements—New Entrant, 12 CFR 1007.104 (Mandatory).	Recordkeeping (One Time).	2	1	20:00	40
2. Financial Institution Policies and Procedures for Ensuring Employee-Mortgage Loan Originator Compliance with SAFE Act Requirements—Ongoing, 12 CFR 1007.104 (Mandatory).	Recordkeeping (Annual).	2,783	1	01:00	2,783
3. Financial Institution Procedures to Track and Monitor Compliance with SAFE Act Compliance—New Entrant, 12 CFR 1007.104 (Mandatory).	Recordkeeping (One Time).	2	1	60:00	120
4. Financial Institution Procedures to Track and Monitor Compliance with SAFE Act Compliance—Ongoing, 12 CFR 1007.104 (Mandatory).	Recordkeeping (Annual).	2,783	1	01:00	2,783
5. Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator’s Criminal History Background Reports—New Entrant, 12 CFR 1007.104 (Mandatory).	Recordkeeping (One Time).	2	1	20:00	40
6. Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator’s Criminal History Background Reports—Ongoing, 12 CFR 1007.104 (Mandatory).	Recordkeeping (Annual).	2,783	1	01:00	2,783
7. Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator’s Unique Identifier—New Entrant, 12 CFR 1007.104 (Mandatory).	Disclosure (One Time).	2	1	25:00	50
8. Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator’s Unique Identifier—Ongoing, 12 CFR 1007.104 (Mandatory).	Disclosure (Annual).	2,783	1	01:00	2,783
9. Financial Institution Information Reporting to Registry, 12 CFR 1007.103 (Mandatory).	Reporting (On Occasion).	2,785	1	01:00	2,785
10. Mortgage Loan Originator Initial Registration Reporting and Authorization Requirement, 12 CFR 1007.103 (Mandatory).	Reporting (One Time).	6,204	1	00:15	1,551
11. Mortgage Loan Originator Registration Updates Upon Change in Circumstances, 12 CFR 1007.103 (Mandatory).	Reporting (On Occasion).	38,249	1	00:15	9,562
12. Financial Institution Procedures for the Collection of Employee Mortgage Loan Originator’s Fingerprints, 12 CFR 1007.104 (Mandatory).	Recordkeeping (On Occasion).	2,785	1	04:00	11,140

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064-0171)—Continued

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
13. Mortgage Loan Originator Procedures for Disclosure to Consumers of Unique Identifier, 12 CFR 1007.104 (Mandatory).	Disclosure (On Occasion).	44,453	1	01:00	44,453
14. Mortgage Loan Originator Annual Renewal Registration Reporting and Authorization Requirements, 12 CFR 1007.103 (Mandatory).	Reporting (On Occasion).	38,249	1	00:15	9,562
Total Annual Burden (Hours) .....	.....	.....	.....	.....	90,435

Source: FDIC.

General Description of Collection: This information collection implements the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act) requirement that employees of federally-regulated institutions who engage in the business of a mortgage loan originator to register with the Nationwide Mortgage Licensing System and Registry and establishes national licensing and registration requirements. It also directs federally-regulated institutions to have written policies and procedures in place to ensure that their employees who perform mortgage loan originations comply with the registration and other SAFE Act requirements. There is no change in the method or substance of the collection. The overall decrease in burden hours is the result of decreases in both the estimated number of FDIC-supervised institutions engaged in mortgage lending as well as the estimated number of mortgage loan originators employed at such institutions.

Request for Comment

Comments are invited on (a) whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information

on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.
 Dated at Washington, DC, on March 19, 2025.
Jennifer M. Jones,
Deputy Executive Secretary.
 [FR Doc. 2025-04975 Filed 3-24-25; 8:45 am]
BILLING CODE 6714-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064-0095; -0218]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).
ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064-0095 and -0218).

DATES: Comments must be submitted on or before May 27, 2025.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- **Agency Website:** <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- **Email:** comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- **Mail:** Manny Cabeza (202-898-3767), Regulatory Counsel, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

- **Hand Delivery:** Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202-898-3767, mcabeza@fdic.gov, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Proposal to renew the following currently approved collection of information:

1. **Title:** Procedures for Monitoring Bank Protection Act Compliance.

OMB Number: 3064-0095.

Form Number: None.

Affected Public: Insured State nonmember banks.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN
[OMB No. 3064-0095]

Information Collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Bank Protection Act Compliance Program—Implementation, 12 CFR Part 326 Subpart A (Mandatory).	Recordkeeping (Annual)	9	1	16:00	144
2. Bank Protection Act Compliance Program—Ongoing, 12 CFR Part 326 Subpart A (Mandatory).	Recordkeeping (Annual)	2882	1	6:00	17,292
3. Procedures for monitoring Bank Secrecy Act compliance—Implementation, 12 CFR 326.8(b)(1) & (c) (Mandatory).	Recordkeeping (Annual)	9	1	32:00	288
4. Procedures for monitoring Bank Secrecy Act compliance—Ongoing, 12 CFR 326.8(b)(1) & (c) (Mandatory).	Recordkeeping (Annual)	2882	1	8:00	23,056
Total Annual Burden (Hours) .....	.....	.....	.....	.....	40,780

Source: FDIC.

General Description of Collection: The collection implements recordkeeping requirements associated with the Bank Protection Act. The Bank Protection Act of 1968 (12 U.S.C. 1881–1884) requires each Federal supervisory agency to promulgate rules establishing minimum standards for security devices and procedures to discourage financial crime and to assist in the identification of persons who commit such crimes. To avoid the necessity of constantly updating a technology-based regulation, the FDIC takes a flexible approach to implementing this statute. It requires each insured nonmember bank to

designate a security officer who will administer a written security program. The security program must (1) establish procedures for opening and closing for business and for safekeeping valuables; (2) establish procedures that will assist in identifying persons committing crimes against the bank; (3) provide for initial and periodic training of employees in their responsibilities under the security program; and (4) provide for selecting, testing, operating and maintaining security devices as prescribed in the regulation. In addition, the FDIC requires the security officer to report at least annually to the bank's

board of directors on the effectiveness of the security program. There is no change in the method or substance of the collection. The 9,670-hour decrease in burden is the result of the elimination of acquiring institutions as respondents, revisions to estimates of the time per response, as well as a decline in the number of FDIC-supervised institutions.

2. *Title:* Ombudsman Post-Examination Surveys.
OMB Number: 3064-0218.
Form Number: 6600/58; 6600/59.
Affected Public: FDIC-supervised insured depository institutions.
Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN
[OMB No. 3064-0218]

Information Collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Safety and Soundness Post-Examination Survey (Voluntary).	Reporting (Annual)	492	1	00:45	369
2. Consumer Compliance Post-Examination Survey (Voluntary).	Reporting (Annual)	329	1	00:45	247
Total Annual Burden (Hours) .....	.....	.....	.....	.....	616

Source: FDIC.

General Description of Collection: The purpose of the surveys is to gauge bankers' views on the effectiveness and quality of FDIC Safety and Soundness and Consumer Compliance examinations, as well as to identify ways to improve the examination process. Respondents are asked to voluntarily rate the efficiency of the preexamination process; examiners' professionalism and understanding of

the laws and regulations; the examination process; and examination report quality. Respondents will also be allowed to provide feedback on any areas for improvement and will be given an option to have someone from the FDIC Office of the Ombudsman contact the institution confidentially about its recent examination or any other matters. There is no change in the method or substance of the collection. The 251-

hour decrease in burden is the result of the reduction in the estimated annual number of respondents.

Request for Comment

Comments are invited on (a) whether the collections of information are necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the

burden of the information collections, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collections of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on March 20, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025-04994 Filed 3-24-25; 8:45 am]

BILLING CODE 6714-01-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; Fellowships: Clinical Care and Health Interventions.

Date: April 21–23, 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: Trina Colleen Salm Ward, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892. (301) 594-5254, salmwardtc@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA-OD-23-017: Tobacco Regulatory Science (TRS).

Date: April 22, 2025.

Time: 9:30 a.m. to 12:00 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: 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, shorttjw@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Substance Use and Prevention and Treatment of Addiction.

Date: April 22, 2025.

Time: 12:00 p.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: Cristina Lyn Reitz-krueger, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892. (301) 480-2060, cristina.reitz-krueger@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR: HIV/AIDS Research Interventions and Health Outcomes.

Date: April 23, 2025.

Time: 9:00 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: Lindsey Lee Page, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892. lindsey.page@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 20, 2025.

Sterlyn H Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05006 Filed 3-24-25; 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 Initial Review Group; Function, Integration, and Rehabilitation Sciences Study Section.

Date: June 23–24, 2025.

Time: 10:00 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: 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) 435-8207, 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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05019 Filed 3-24-25; 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 a meeting of the National Advisory Environmental Health Sciences Council.

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 Environmental Health Sciences Council April 22, 2025 NAEHSC Meeting.

Date: April 22, 2025.

Time: 9:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate consideration of Grant Applications.

Address: NIEHS/National Institutes of Health, Building 4401, East Campus, 79 T.W. Alexander Drive, Research Triangle Park, NC 27709, Virtual Meeting.

Contact Person: David M Balshaw, BA, Ph.D., Director Division of Extramural Research and Training, National Institute of Environmental Health Sciences, P.O. Box 12233, MD EC-27, Research Triangle Park, NC 27709-2233, 984-287-3234, email: balshaw@niehs.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person. In the interest of security, NIH has procedures at <https://www.nih.gov/about-nih/visitor-information/campus-access-security> for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus Federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit. Information is also available on the Institute's/Center's home page: www.niehs.nih.gov/dert/c-agenda.htm, where an agenda and any additional information for the meeting will be posted when available.

(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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05015 Filed 3-24-25; 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; Stressors and Aging.

Date: May 1, 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: Kaitlyn Noel Lewis Hardell, Ph.D., MPH, Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 594-7945, email: kaitlyn.hardell@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05020 Filed 3-24-25; 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 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 Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders C Study Section.

Date: April 28-29, 2025.

Time: 9:00 a.m. to 7:00 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/DHHS NSC, 6001 Executive Boulevard Rockville, MD 20852, 301-496-9223, Ana.Olariu@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 20, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05032 Filed 3-24-25; 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 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 Diabetes and Digestive and Kidney Diseases Initial Review Group; Diabetes, Endocrinology and Metabolic Diseases B Study Section Diabetes, Endocrinology and Metabolic Diseases B Study Section (DDK-B).

Date: June 4–6, 2025.

Time: 10:00 a.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Charlene J. Repique, Ph.D., Scientific Review Officer, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7791, charlene.repique@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 20, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05024 Filed 3–24–25; 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 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK RC2 Review.

Date: May 1, 2025.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Elena Sanovich, Ph.D., Scientific Review Officer, National Institutes

of Health, National Institute of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Boulevard, Rm. 7351, Bethesda, MD 20892–2542, 301–594–8886, sanovich@mail.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 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04980 Filed 3–24–25; 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 Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Environmental Health Sciences Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the 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 Advisory Environmental Health Sciences Council; June 5, 2025 NAEHSC Meeting.

Date: June 5, 2025.

Open: 9:00 a.m. to 1:45 p.m.

Agenda: Call to Order, Review of Confidentiality and Conflict of Interest, Consideration of previous Meeting Minutes, Report of the Directors, Collaboration with NHLBI—CURE, and Impact of Environmental Exposures on Gut-Brain Signaling in Neurological Conditions (NIEHS Scientific Concept).

Address: NIEHS/National Institutes of Health, Building 4401, East Campus, 79 T.W. Alexander Drive, Research Triangle Park, NC 27709, Virtual Meeting.

Closed: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate consideration of Grant Applications and Intramural BSC Report.

Meeting Format: Virtual.

Address: NIEHS/National Institutes of Health, Building 4401, East Campus, 79 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Contact Person: David M. Balshaw, BA, Ph.D., Director Division of Extramural Research and Training, National Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–27, Research Triangle Park, NC 27709–2233, 984–287–3234, email: balshaw@niehs.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person. In the interest of security, NIH has procedures at <https://www.nih.gov/about-nih/visitor-information/campus-access-security> for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus Federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit. Information is also available on the Institute's/Center's home page: www.niehs.nih.gov/dert/c-agenda.htm, where an agenda and any additional information for the meeting will be posted when available.

(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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05018 Filed 3–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin Diseases; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a

meeting of the National Arthritis and Musculoskeletal and Skin Diseases Advisory Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (<https://videocast.nih.gov/>).

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 Arthritis and Musculoskeletal and Skin Diseases Advisory Council.

Date: April 21, 2025.

Closed: 9:30 a.m. to 10:30 a.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 31 Center Drive, Bethesda, MD 20892.

Open: 10:30 a.m. to 12:30 p.m.

Agenda: Call to Order; NIAMS Director's Report and Discussion; Open Discussion.

Address: National Institutes of Health, 31 Center Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Darren D. Sledjeski, Ph.D., Director, Division of Extramural Activities (DEA), National Institute of Arthritis and Musculoskeletal and Skin Diseases, 6701 Democracy Blvd., Bethesda, MD 20892, (301) 451-7766, darren.sledjeski@nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: <https://www.niams.nih.gov/about/working-groups/advisory-council>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: March 19, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-04968 Filed 3-24-25; 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 Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Dental and Craniofacial Research Council.

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 Dental and Craniofacial Research Council.

Date: April 18, 2025.

Closed: 11:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate BSC report to council.

Address: National Institute of Dental & Craniofacial Research, 31 Center Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Closed: 12:00 p.m. to 3:00 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: Yasaman Shirazi, Ph.D., Branch Chief, National Institute of Dental & Craniofacial Research, National Institutes of Health, 31 Center Drive, Bethesda, MD 20892, 301-594-5593, email: yasaman.shirazi@nih.gov.

Information is also available on the Institute's/Center's home page: <https://www.nidcr.nih.gov/about-us/advisory-committees/advisory-council>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: March 19, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-04969 Filed 3-24-25; 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; Member Conflict: Maternal and Pediatric Health.

Date: May 2, 2025.

Time: 9:00 a.m. to 12:30 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: 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, email: 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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05017 Filed 3-24-25; 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; Traffic-Related Air Pollution and Ultrafine Particulate Matter in ADRD Risk.

Date: May 5, 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: Joshua Jin-Hyouk Park, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 443-7613, email: joshua.park4@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05012 Filed 3-24-25; 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 Pain SBIR/STTR review panel.

Date: April 11, 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: Abhignya Subedi, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301-496-9223, abhi.subedi@nih.gov.

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Neuroscience SBIR/STTR Review Panel 3.

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: Natalia Strunnikova, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301-496-3755, natalia.strunnikova@nih.gov.

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; BRAIN Initiative: Exploratory Research Opportunities in Humans (eROH R61).

Date: April 21, 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: Tatiana Pasternak, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Rockville, MD 20852, 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 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05004 Filed 3-24-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Hypertension and Thrombosis.

Date: April 16, 2025.

Time: 9:00 a.m. to 5:00 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: Devaiah Nanjappa Ballachanda, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 801F, Bethesda, MD 20892, (301) 480-0576, email: ballachanda@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Macromolecular Biophysics and Biochemistry.

Date: April 25, 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: Michael Eissenstat, Ph.D., Scientific Review Officer, BCMB IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4166, MSC 7806, Bethesda, MD 20892, 301-435-1722, email: eissenstatma@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Musculoskeletal Sciences.

Date: April 29, 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: Amber Taylor Collins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-5245, email: amber.collins@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Skeletal Muscle and Rehabilitation Sciences.

Date: May 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: Erick Omar Hernandez Ochoa, Ph.D., MD, Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, erick.hernandezchoa@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Skin, Oral and Dental Sciences.

Date: May 21-22, 2025.

Time: 10:00 a.m. to 1:00 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: Chee Lim, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4128, Bethesda, MD 20892, (301) 435-1850, limc4@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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05009 Filed 3-24-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; 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 Alcohol Abuse and Alcoholism Special Emphasis Panel; NIAAA Special Emphasis Panel for Member Conflict Applications.

Date: April 14, 2025.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Health, National Institute on Alcohol Abuse and Alcoholism, 6700B Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Luis Espinoza, Ph.D., Scientific Review Officer, Extramural Project Review Branch Office of Extramural Activities, National Institute on Alcohol Abuse and Alcoholism, NIH, 6700B Rockledge Drive, Room 2109, MSC 6902, Bethesda, MD 20892, (301) 443-8599, espinozala@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.273, Alcohol Research Programs, National Institutes of Health, HHS)

Dated: March 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05002 Filed 3-24-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin 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 Arthritis and Musculoskeletal and Skin Diseases Special Emphasis Panel; NIAMS SBIR Small Business: Musculoskeletal, Rheumatic and Skin Sciences.

Date: April 30-May 1, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Arthritis and Musculoskeletal and Skin Diseases, 6701 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kan Ma, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Arthritis, Musculoskeletal and Skin Diseases, NIH, 6701 Democracy Boulevard, Suite 814, Bethesda, MD 20892, 301-451-4838, mak2@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: March 19, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-04967 Filed 3-24-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel; HEAL Initiative: Translating Research to Practice to End the Overdose Crisis.

Date: May 1, 2025 (Day One).

Time: 10:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Date: May 6, 2025 (Day Two).

Time: 10:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.
Contact Person: Sheila Pirooznia, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Review, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 496-9350, sheila.pirooznia@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: March 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05000 Filed 3-24-25; 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 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Urology Centers Program Interactions Core (U24 Clinical Trial Not Allowed).

Date: May 6, 2025.

Time: 1:30 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Lan Tian, Ph.D., Scientific Review Officer, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Boulevard, Bethesda, MD 20892-5452, (301) 496-7050, lan.tian@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 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05001 Filed 3-24-25; 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; Fellowships: HIV/AIDS Behavioral.

Date: April 23, 2025.

Time: 2:00 p.m. to 6:30 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: Lindsey Lee Page, Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480-5712, email: lindsey.page@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Intervention Research to Improve Native American Health.

Date: May 6, 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: Rochelle Francine Hentges, Ph.D., Scientific Review Officer, Center for Scientific Review, National

Institutes of Health, 6701 Rockledge Drive, Room 1000C, Bethesda, MD 20892, (301) 402-8720, hentgesrf@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Social and Community Influences Across the Lifecourse.

Date: May 9, 2025.

Time: 12:00 p.m. to 3:00 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: David E Pollio, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1006F, Bethesda, MD 20892, (301) 594-4002, email: polliode@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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05011 Filed 3-24-25; 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 Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Neurological Disorders and Stroke Council.

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 Neurological Disorders and Stroke Council.

Date: April 10, 2025, 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications, discuss upcoming Concept Clearance Initiatives, and other business of the Council.

Place: National Institutes of Health, 6001 Executive Boulevard, Room 1131, Rockville, Maryland 20852 (Virtual Meeting).

Contact Person: David Owens, Ph.D., Deputy Director, Extramural Activities National Institute of Neurological, Disorders and Stroke, NIH, 6001 Executive Blvd., 5th Floor, MSC 9531, Bethesda, MD 20892, (301) 496-9248, owensd@ninds.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice at least 10 days in advance of the meeting. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: www.ninds.nih.gov, where an agenda and any additional information for the meeting will be posted when available. (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 20, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05025 Filed 3-24-25; 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 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Coordinating Center-JHS.

Date: April 28, 2025.

Time: 9:00 a.m. to 11:00 a.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: Zhihong Shan, MD, Ph.D., 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, email: zhihong.shan@nih.gov.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Community Engagement Center-JHS.

Date: April 28, 2025.

Time: 10:45 a.m. to 11:45 a.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: Zhihong Shan, MD, Ph.D., 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, email: zhihong.shan@nih.gov.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Field Center-JHS.

Date: April 28, 2025.

Time: 11:30 a.m. to 12:30 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: Zhihong Shan, MD, Ph.D., 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, email: zhihong.shan@nih.gov.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Training and Education Center-JHS.

Date: April 28, 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: Zhihong Shan, MD, Ph.D., 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, email: zhihong.shan@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 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05016 Filed 3-24-25; 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 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 Center for Complementary and Integrative Health Special Emphasis Panel; HEAL Initiative: Pain Research Enhancement Program (PREP) (R15 Clinical Trial Optional).

Date: May 5, 2025.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Center for Complementary and Integrative Health, Democracy II, Suite 401, 6707 Democracy Blvd., Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Michael E. Authement, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities, 6707 Democracy Boulevard, Bethesda, MD 20817, michael.authement@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: March 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05003 Filed 3-24-25; 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 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 Diabetes and Digestive and Kidney Diseases Initial Review Group; Fellowships in Digestive Diseases and Nutrition.

Date: June 12–13, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jian Yang, Ph.D., Scientific Review Officer, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7799, yangj@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 20, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05023 Filed 3–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of 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 on Drug Abuse.

The meeting will be held as a virtual meeting and is open to the public, as indicated below. Individuals who plan to view the virtual meeting and need special assistance such as sign language interpretation or other reasonable accommodations to view the meeting, should notify Dr. Gillian Acca via email at gillian.acca@nih.gov five days in advance of the meeting. The open

session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (<http://videocast.nih.gov/>).

A portion of 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 on Drug Abuse.

Date: May 13, 2025.

Closed: 11:00 a.m. to 12:15 p.m.

Agenda: To review and evaluate grant applications.

Open: 1:30 p.m. to 5:00 p.m.

Agenda: Presentations and other business of the Council.

Meeting Format: Virtual Meeting.

Place: National Institutes of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892.

Contact Person: Susan R.B. Weiss, Ph.D., Director, Division of Extramural Research, Office of the Director, National Institute on Drug Abuse, NIH, Three White Flint North, RM 09D08, 11601 Landsdown Street, Bethesda, MD 20852, 301–443–6480, sweiss@nida.nih.gov.

Contact Person: Gillian Acca, Ph.D., Health Scientist Administrator, Division of Extramural Research, Office of Extramural Policy, National Institute on Drug Abuse, NIH, Three White Flint North, RM 09C70, 11601 Landsdown Street, Bethesda, MD 20852, 301–827–5863, gillian.acca@nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to Dr. Gillian Acca via email at gillian.acca@nih.gov. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: www.drugabuse.gov/NACDA/NACDAHome.html, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: March 19, 2025.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–04981 Filed 3–24–25; 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; Altered Cell Subtypes in Aging and AD/ADRD.

Date: April 8, 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: Nijaguna Prasad, Ph.D., Scientific Review Officer, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 496–9667, email: prasadnb@nia.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05008 Filed 3–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Council of Councils.

The meeting will be held as a virtual meeting and is open to the public as indicated below. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations, to view the meeting should notify the Contact Person listed

below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting website (<http://videocast.nih.gov/>).

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: Council of Councils.

Date: April 21, 2025.

Open: April 21, 2025, 10:00 a.m. to 12:15 p.m.

Agenda: Welcome and Opening Remarks; Announcements, and NIH Program Updates; Presentations; and Other Business of the Committee.

Place: National Institutes of Health Building 1, 1 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Closed: April 21, 2025, 12:15 p.m. to 01:15 p.m.

Agenda: Review of Grant Applications.

Place: National Institutes of Health Building 1, 1 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Open: April 21, 2025, 01:15 p.m. to 04:35 p.m.

Agenda: NIH Program Updates; Presentations; and Other Business of the Committee.

Place: National Institutes of Health Building 1, 1 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Franziska Grieder, D.V.M., Ph.D., Executive Secretary, Council of Councils, Director, Office of Research Infrastructure Programs, Division of Program Coordination, Planning, and Strategic Initiatives, Office of the Director, NIH, 6701 Democracy Boulevard, Room 948, Bethesda, MD 20892, GriederF@mail.nih.gov, 301-435-0744.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Council of Council's home page at <http://dpcpsi.nih.gov/council/> where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate

Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: March 20, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05010 Filed 3-24-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Termination of Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans

ACTION: Notice.

SUMMARY: The Department of Homeland Security (“DHS”) is terminating the categorical parole programs for inadmissible aliens from Cuba, Haiti, Nicaragua, and Venezuela and their immediate family members (hereinafter referred to as “CHNV parole programs”) that DHS announced in 2022 and 2023. This **Federal Register** notice is intended to provide context and guidance to the public regarding the termination of the CHNV parole programs and related employment authorization.

DATES: DHS is terminating the CHNV parole programs as of March 25, 2025. The temporary parole period of aliens in the United States under the CHNV parole programs and whose parole has not already expired by April 24, 2025 will terminate on that date unless the Secretary makes an individual determination to the contrary. Parolees without a lawful basis to remain in the United States following this termination of the CHNV parole programs must depart the United States before their parole termination date.

FOR FURTHER INFORMATION CONTACT: Ihsan Gunduz, Border and Immigration Policy, Office of Strategy, Policy, and Plans, Department of Homeland Security, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528-0445; telephone (202) 447-3459 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Over the previous two years, DHS has implemented programs through which inadmissible aliens who are citizens or nationals of designated countries, and their immediate family members, could request authorization to travel to the United States in order to be considered for parole into the country.¹ Under these

¹ Implementation of a Parole Process for Cubans, 88 FR 1266 (Jan. 9, 2023); Implementation of a

categorical parole programs, potentially eligible beneficiaries were adjudicated on a case-by-case basis, for advance authorization to travel to a U.S. port of entry (“POE”) in the interior of the country to seek a discretionary grant of parole.

On January 20, 2025, President Trump issued Executive Order 14165, “Securing Our Borders.”² Section 2 of the Order establishes a policy of the United States to take all appropriate action to secure the borders of our Nation through a range of means, including deterring and preventing the entry of illegal aliens into the United States, and removing promptly all aliens who enter or remain in violation of Federal law. Section 7 of the Order directs the Secretary of Homeland Security to, consistent with applicable law, take all appropriate action to “[t]erminate all categorical parole programs that are contrary to the policies of the United States established in [the President’s] Executive Orders, including the program known as the ‘Processes for Cubans, Haitians, Nicaraguans, and Venezuelans.’”

Consistent with the President’s direction, and for the independent reasons stated in this notice, this notice terminates the CHNV parole programs. Although DHS established the categorical programs for each country through a separate notice in the **Federal Register**, the justification for the establishment of each of the four categorical programs was very similar,³ and the rationale for termination is largely consistent for all four parole programs. Thus, DHS is announcing the termination of all four parole programs by publishing this single notice in the **Federal Register**.

II. DHS Parole Authority

The Immigration and Nationality Act (“INA”) confers upon the Secretary of Homeland Security (“Secretary”) the narrow discretionary authority to parole inadmissible aliens into the United States “temporarily under such conditions as [DHS] may prescribe only on a case-by-case basis for urgent

Change to the Parole Process for Cubans, 88 FR 26329 (Apr. 28, 2023); Implementation of a Parole Process for Haitians, 88 FR 1243 (Jan. 9, 2023); Implementation of a Change to the Parole Process for Haitians, 88 FR 26327 (Apr. 28, 2023); Implementation of a Parole Process for Nicaraguans, 88 FR 1255 (Jan. 9, 2023); Implementation of a Parole Process for Venezuelans, 87 FR 63507 (Oct. 19, 2022); Implementation of Changes to the Parole Process for Venezuelans, 88 FR 1279 (Jan. 9, 2023).

² See Executive Order 14165, Securing Our Borders, 90 FR 8467 (Jan. 20, 2025) (published Jan. 30, 2025).

³ Compare, e.g., 88 FR at 1260–63, with 88 FR at 1248–52 (setting out the justifications for the parole programs for Nicaragua and Haiti, respectively).

humanitarian reasons or significant public benefit.” See INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A); see also 8 CFR 212.5(a) and (c) through (e) (discretionary authority for establishing conditions of parole and for terminating parole). Additionally, upon a finding by DHS that the purpose of the temporary, discretionary parole has been served, the alien is required to depart the United States “or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.” INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A).

A review of the history of the parole authority supports the contention that discretionary parole determinations were intended by Congress to be narrowly tailored to specific instances and not based on a set of broadly applicable eligibility criteria.⁴ Under the law, the determination to parole an alien into the country should only be made on a case-by-case basis, taking into account each alien’s unique circumstances. The ultimate determination whether to parole an alien into the United States upon the alien’s arrival at a POE is made by U.S. Customs and Border Protection (“CBP”) officers. See 8 CFR 212.5(a).

Parole is inherently temporary, and parole alone is not an underlying basis

⁴ Parole was codified into immigration law in the Immigration and Nationality Act of 1952. As envisioned then, the 1952 Act authorized the Attorney General to parole aliens temporarily under such conditions as he may prescribe for emergent reasons or reasons deemed strictly in the public interest. As expressed then, “the parole of aliens seeking admission is simply a device through which needless confinement is avoided while administrative proceedings are conducted.” See *Leng May Ma v. Barber*, 357 U.S. 185, 190 (1958). However, the parole authority, whether intended to be narrow or broad, has in fact been used in an increasingly broad manner since its inception, often earning the criticism of Congress, which in 1996 wrote, “[i]n recent years, however, parole has been used increasingly to admit entire categories of aliens who do not qualify for admission under any other category in immigration law, with the intent that they will remain permanently in the United States. This contravenes the intent of section 212(d)(5), but also illustrates why further, specific limitations on the Attorney General’s discretion are necessary.” See H.R. Rep. 104–469, pt. 1, at 140 (1996). Furthermore, the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (“IIRIRA”) struck from INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A), the phrase, “for emergent reasons or for reasons deemed strictly in the public interest” as grounds for granting parole into the United States and inserted “only on a case-by-case basis for urgent humanitarian reasons or significant public benefit.” See Public Law 104–208, div. C, § 602(a). “The legislative history indicates that this change was animated by concern that parole under 8 U.S.C. 1182(d)(5)(A) was being used by the executive to circumvent congressionally established immigration policy.” *Cruz-Miguel v. Holder*, 650 F.3d 189, 199 n.15 (2d Cir. 2011).

for obtaining any immigration status, nor does it constitute an admission to the United States. See INA 101(a)(13)(B), 212(d)(5)(A), 8 U.S.C. 1101(a)(13)(B), 1182(d)(5)(A). Once an alien is paroled into the United States, the parole allows the alien to stay temporarily in the United States for the duration of the parole period unless and until the parole expires or is otherwise terminated. See 8 CFR 212.5(e).

Paroled aliens, including those paroled under the CHNV parole programs, may apply for any immigration benefit or status for which they may be eligible, including discretionary employment authorization under the (c)(11) employment eligibility category. See 8 CFR 274a.12(c)(11). In the absence of any subsequent application conferring an immigration benefit or status, and upon termination of parole, such alien will remain an arriving alien. See 8 CFR 1.2; see also INA 101(a)(13)(B), 8 U.S.C. 1101(a)(13)(B).

III. Rationale for Initial Implementation

When DHS established the CHNV parole programs, DHS provided several justifications for their promulgation. See, e.g., 88 FR at 1248–51 (Implementation of a Parole Process for Haitians). Overall, DHS stated that the programs would provide a significant public benefit for the United States and address the urgent humanitarian reasons underlying the high levels of migration from those countries.

With respect to the significant public benefit, DHS wrote that the CHNV parole programs would: (i) enhance border security by reducing illegal immigration between the POEs, (ii) minimize the domestic impact of high levels of illegal immigration by CHNV nationals, particularly in border communities; (iii) improve vetting for national security and public safety; (iv) reduce the strain on DHS personnel and resources; (v) disincentivize a dangerous journey that puts migrant lives and safety at risk and enriches smuggling networks; and (vi) fulfill important foreign policy goals to manage migration collaboratively in the hemisphere.

For the reasons discussed below, DHS has determined that it is now appropriate and necessary to terminate the CHNV parole programs. These programs do not serve a significant public benefit, are not necessary to reduce levels of illegal immigration, did not sufficiently mitigate the domestic effects of illegal immigration, are not serving their intended purposes, and are inconsistent with the Administration’s

foreign policy goals.⁵ Regarding previous arguments or determinations that these programs were consistent with the requirement of “urgent humanitarian reasons” for granting parole, DHS believes that consideration of any urgent humanitarian reasons for granting parole is best addressed on a case-by-case basis consistent with the statute, and taking into consideration each alien’s specific circumstances. These reasons, independently and cumulatively, support termination of the CHNV parole programs.

Accordingly, the Secretary, in her discretion, is terminating the CHNV parole programs. Consistent with her statutory authority, the Secretary retains discretion to continue to extend parole to any alien paroled under CHNV—temporarily under such conditions as she may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit. See INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A). The decision to do so, or not to do so, is committed to the Secretary’s sole discretion.

1. The CHNV Parole Programs Are Unnecessary To Achieve Border Security Goals

From the announcement of the parole program for Venezuelans and their immediate family members on October 12, 2022, through the subsequent addition of the programs for Cubans, Haitians, Nicaraguans, and their immediate family members in January 2023, and until January 22, 2025, approximately 532,000 inadmissible aliens were granted advance authorization to travel to the United States and receive consideration for parole into the United States.⁶

One justification for these 532,000 discretionary paroles was to “enhance border security” at the southwest border of the United States.⁷ DHS reasoned that by “incentivizing individuals to seek a lawful, orderly means of traveling to the United States, while imposing

⁵ See INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A) (“... when the purposes of such parole shall, in the opinion the Secretary of Homeland Security, have been served the alien shall forthwith return or be returned to the custody from which he was paroled.”).

⁶ Office of Homeland Security Statistics (“OHSS”) analysis of advanced travel authorizations data provided by CBP Passenger Systems Program Directorate and valid as of January 22, 2025. Beneficiary travel authorizations excluded expired applications. The Venezuelan program started on October 18, 2022, and the Cuba, Haiti, Nicaragua parole programs started January 6, 2023.

⁷ See, e.g., 88 FR at 1255 (“The [Nicaraguan] parole process is intended to enhance border security by reducing the record levels of Nicaraguan nationals entering the United States between POEs.”).

consequences to irregular migration, . . . the new parole process will mitigate anticipated future surges” of illegal immigration. *See, e.g.*, 88 FR at 1249 (Implementation of a Parole Process for Haitians). DHS pointed to past experience with rapidly increasing “encounters of Guatemalan and Honduran nationals from January 2021 until August 2021” along the southwest border, explaining that the resumption of repatriation flights to Guatemala and Honduras helped reduce the amount of illegal immigration but was insufficient to address the sheer numbers.⁸ Accordingly, the CHNV parole programs contemplated enhancing border security by combining “a consequence for [nationals seeking] to enter the United States [in an unlawful manner between POEs (*i.e.*, removal or return to a third country, such as Mexico), while introducing] an incentive to use [a] lawful process to request authorization to travel by air to and enter the United States, without making the dangerous journey to the border.”⁹

Upon review, DHS concludes that this “deterrent” and “incentive” approach did not result in a sufficient and sustained improvement in border security, and has exacerbated challenges associated with interior enforcement of the immigration laws. Encounters of CHNV nationals, particularly at POEs, remained unacceptably high while the CHNV parole programs were in effect, and overall migration of CHNV nationals to the United States increased between October 12, 2022 and January 22, 2025. In addition, the CHNV parole programs have at best traded an unmanageable population of unlawful migration along the southwest border for the additional complication of a substantial population of aliens in the interior of the United States without a clear path to a durable status.

As an initial matter, DHS acknowledges that in establishing the CHNV parole programs, and in subsequent DHS evaluations of these programs, DHS focused, in part, on a goal of reducing encounters of CHNV nationals between POEs.¹⁰ And it is true that there was a reduction in encounters

of CHNV nationals between POEs from FY 2022 through FY 2024—from around 600,000 encounters in FY 2022 to 416,000 in FY 2023 and 183,000 in FY 2024.¹¹ But in implementing the CHNV parole programs, DHS also focused on the importance of reducing pressures at the southwest border generally. It was for this reason that the CHNV parole programs required, for instance, that CHNV nationals “fly at their own expense to an interior [POE] rather than entering at a land POE”¹² and rendered ineligible those CHNV nationals who irregularly entered the United States, Mexico, or Panama after the programs’ announcement.¹³

Consistent with that focus and in light of the reality that DHS’s border security mission involves activities at southwest border POEs as well, DHS has concluded that the present assessment of the efficacy of the CHNV parole programs should include encounters at such land POEs. If one includes encounters of CHNV nationals at POEs, the actual reduction in southwest border encounters of CHNV nationals is much more muted: encounters of CHNV nationals at and between southwest border POEs dropped from approximately 626,000 in FY 2022 only to 584,000 in FY 2023 and to 535,000 in FY 2024.¹⁴ This is due to a significant increase in encounters of such aliens at southwest border POEs over that time period: from 26,250 in FY 2022 to 168,010 in FY 2023 and 352,790 in FY 2024.¹⁵ The increase can be attributed to the use of the CBP One mobile application (“CBP One app” or “CBP One”) to schedule appointments at southwest border POEs,¹⁶ which resulted in very high numbers of CHNV nationals placed into removal proceedings pursuant to section 240 of the INA, 8 U.S.C. 1229a, (“section 240 removal proceedings”) and released into

U.S. border communities,¹⁷ exacerbating the immigration court backlog and the poor incentives that the backlog creates.¹⁸ Finally, it is important to emphasize that in addition to these southwest border encounters, DHS must also consider the 532,000 parolees who entered the United States under the CHNV parole programs.

The decision to terminate the discretionary and temporary parole programs is further informed by the actions of the prior administration, which found the CHNV parole programs, even when paired with the Circumvention of Lawful Pathways rule, to be insufficient to address very high levels of illegal immigration.¹⁹ For example, DHS and the Department of Justice (DOJ) promulgated the Securing the Border framework²⁰ as an emergency measure to address ongoing high levels of unlawful immigration between southwest border POEs.²¹ The Departments explained that “at the current levels of encounters and with current resources, [DHS] cannot predictably and swiftly deliver consequences to most noncitizens who cross the border without a lawful basis to remain . . . [DHS’s] ability to refer and process noncitizens through expedited removal thus continues to be overwhelmed, creating a vicious cycle.”²² This conclusion—that DHS’s ability to swiftly impose consequences for illegal immigration “continue[d] to be overwhelmed”²³—followed nearly two years of the CHNV parole programs, whose chief justification had been facilitating operational control of the

¹⁷ A total of 582,800 CHNV nationals with CBP One registration numbers were encountered at southwest border POEs from Jan. 1, 2023–Jan. 31, 2025, including 576,900 (99 percent) that were issued NTAs. OHSS analysis of January 2025 OHSS Persist Dataset.

¹⁸ *See, e.g.*, Securing the Border, 89 FR 81156, 81181 (Oct. 7, 2024) (explaining that particularly in light of the immigration court backlog, “releasing individuals who may otherwise be referred for expedited removal may inadvertently incentivize increased irregular migration and the exploitation of the asylum system, especially by human smugglers who encourage migrants to claim fear once they are encountered by USBP as it will allow them to remain in the United States for years pending resolution of their case and, where appropriate, removal.”).

¹⁹ 88 FR 31314 (May 16, 2023).

²⁰ *See* 89 FR 48710 (June 7, 2024) (interim final rule); 89 FR 81156 (Oct. 7, 2024) (final rule).

²¹ “On June 3, 2024, the President signed Proclamation 10773 under sections 212(f) and 215(a) of the INA, finding that because border security and immigration systems of the United States were unduly strained, the entry into the United States of certain categories of [aliens] was detrimental to the interests of the United States, and suspending and limiting the entry of such [aliens].” *See* 89 FR at 81157–58.

²² 89 FR at 48714.

²³ 89 FR at 48715.

¹¹ OHSS analysis of January 2025 OHSS Persist Dataset.

¹² *See, e.g.*, 87 FR at 63507; *see also id.* at 63512 (explaining that by “diverting flows of Venezuelan nationals to interior POEs through a safe and orderly process,” DHS could relieve pressure on border communities).

¹³ *See, e.g.*, 87 FR at 63515.

¹⁴ OHSS analysis of January 2025 OHSS Persist Dataset.

¹⁵ OHSS analysis of January 2025 OHSS Persist Dataset.

¹⁶ Section 7 of Executive Order 14165 also directed the Secretary to, consistent with applicable law, take all appropriate action to cease using the CBP One app. as a method of paroling or facilitating the entry of otherwise inadmissible aliens into the United States. DHS has ceased the use of the CBP One app for this purpose. *See* CBP, Press Release, CBP Removes Scheduling Functionality in CBP One™ App (Jan. 21, 2025), <https://www.cbp.gov/newsroom/national-media-release/cbp-removes-scheduling-functionality-cbp-one-app> (last updated Jan. 22, 2025).

⁸ *See, e.g.*, 87 FR at 63509.

⁹ *See, e.g.*, 87 FR at 63510.

¹⁰ *See, e.g.*, 87 FR at 63507 (“The parole process is intended to enhance border security by reducing the record levels of Venezuelan nationals entering the United States between POEs, while also providing a process for certain such nationals to lawfully enter the United States in a safe and orderly manner.”); *see also* Circumvention of Lawful Pathways 88 FR 31314, 31317 (May 16, 2023) (noting that in the first weeks following implementation of the CHNV parole programs, encounters of CHNV nationals between POEs dropped significantly).

southwest border of the United States. Promulgation of the Securing the Border interim final rule in June 2024 reflected the reality that the CHNV parole programs and Circumvention of Lawful Pathways rule did not sufficiently enhance border security.²⁴

Finally, to whatever extent the CHNV parole programs could be characterized as reducing encounters of CHNV nationals at the southwest border from the very high levels that existed in late 2022, DHS does not believe that the programs are necessary to achieve such reductions at this time. In December 2022—the last full month prior to implementation of all four programs—the U.S. Border Patrol (USBP) encountered around 84,000 CHNV nationals at the southwest border.²⁵ That figure has been below 12,000 every month since January 2024, and below 6,000 every month since June 2024, when DHS and DOJ issued the Securing the Border rule.²⁶ In January 2025, even with the CHNV parole programs paused, USBP encountered around 3,400 CHNV nationals at the southwest border.²⁷ Whatever the need for these programs may have been in late 2022, the situation at the southwest border now, and the set of tools implemented by DHS to deter illegal immigration, are quite different.

Moreover, with the implementation of President Trump's policies beginning on January 20, 2025, border encounters generally have continued to drop notwithstanding the ongoing pause on these programs. Southwest border encounters between POEs fell from an average of about 1,180 aliens per day in the two-week period ending on January 20, 2025, to an average of about 640 per day in the two-week period from January 21 to February 3, 2025, and fell further to an average just under 260 per day in the two-week period from February 12, 2025 to February 25, 2025.²⁸ Over those same three time periods, southwest border releases from USBP custody fell from an average of about 240 per day to an average of about

50 per day and then an average of fewer than 5 per day.²⁹

The need to break the “vicious cycle” of unlawful immigration supports this DHS action to terminate the CHNV parole programs in favor of new presidential directives that address the demand for enhanced border security beyond the 2024 Securing the Border framework.³⁰ Executive Order 14165, “Securing Our Borders,”³¹ and Executive Order 14159, “Protecting the American People Against Invasion,”³² exemplify more reasoned and realistic initiatives to control unlawful immigration at the southwest border of the United States.

2. The Domestic Effects of Illegal Immigration Continued To Be Felt Throughout Implementation of the CHNV Parole Programs

Although one goal of the CHNV parole programs was to “help minimize the burden on communities, state and local governments, and NGOs who support the reception and onward travel of arriving migrants at the SWB,” the programs did not have this effect. As discussed in the preceding section, overall levels of CHNV migration at and between southwest border POEs did not fall dramatically year-over-year in FY 2023 and FY 2024. In addition, if one takes into account the 532,000 parolees who entered the United States at an interior POE, CHNV migration may have increased over the relevant time period. Recent policy interventions have proven more effective than the CHNV parole programs in addressing very high levels of illegal immigration.

²⁹ OHSS analysis of data downloaded from UIP Feb. 25, 2025. DHS also notes that to whatever extent the incentives created by the parole programs for Cubans and Haitians deterred illegal immigration by sea—a particularly dangerous form of migration—the parole programs are not necessary for such deterrence and raise other issues, some of which are outlined in sections III.2–4 of this notice. DHS has adopted a more robust enforcement posture in general, and will monitor trends in maritime migration and respond as appropriate. Through early February 2025, DHS has yet to see a return to the very high levels of maritime migration observed in 2022.

³⁰ The streamlined procedures offered by the Securing the Border framework and complementary actions permitted DHS to more than triple the percentage of aliens processed for expedited removal under INA 235(b)(1), 8 U.S.C. 1225(b)(1), and decrease the number of aliens released by USBP pending immigration court proceedings by 89 percent, a number that has only improved further with the end of “catch and release.” Encounters and releases based on OHSS analysis of January 2025 OHSS Persist Dataset. Processed for ER based on OHSS analysis of September 2024 OHSS enforcement Lifecycle and CBP data downloaded from UIP ER Daily Report Data Dashboard as of February 4, 2025.

³¹ 90 FR 8611 (Jan. 20, 2025).

³² 90 FR 8443 (Jan. 20, 2025).

Over the past few years, there has been extensive public discussion of the effects of high levels of illegal immigration and inadmissible aliens arriving in local communities. Although public accounts of these effects do not always distinguish between aliens strictly on the basis of how they entered the country or their status (*e.g.*, CHNV parolees; aliens whom DHS encountered at a southwest border POE placed in section 240 removal proceedings; and aliens present without admission or parole), localities nationwide have experienced the effects of very high levels of migration.³³ CHNV parolees and other recent arrivals have competed for limited resources such as housing, food, transportation, education, legal services, and public benefits.³⁴ Some localities experienced surges of CHNV parolees in particular.³⁵

The domestic impact of the CHNV parole program was also felt at the Federal level in at least three ways. First, the CHNV parole programs resulted in expanded eligibility for Federal public benefits. This is because, for instance, an alien who is paroled into the United States under INA 212(d)(5) for a period of at least 1 year is considered a “qualified alien.” See 8 U.S.C. 1641(b)(4). Because DHS generally issued two-year periods of parole from the outset, CHNV parolees generally were considered qualified aliens. Although qualified aliens are generally subject to a five-year waiting period before becoming eligible for certain Federal public benefits, *see, e.g.*, 8 U.S.C. 1613(a) (five-year waiting period for Federal means-tested public benefits); 8 U.S.C. 1612(a)(2)(L) (general five-year waiting period before a qualified alien can receive supplemental nutrition assistance program (SNAP) benefits), such waiting periods do not apply to all CHNV parolees with respect to all public benefit programs. For instance, a parolee under the age of 18 may be eligible for SNAP benefits, *see*

³³ *See, e.g.*, Adam Shaw, Fox News, *Biden Admin Faces Mounting Pressure to Dismantle Migrant Parole Program Amid ‘Stress’ on Small Towns* (Oct. 31, 2024), <https://www.foxnews.com/politics/biden-admin-faces-mounting-pressure-dismantle-migrant-parole-program-stress-small-towns>; Muzaffar Chishti & Colleen Putzel-Kavanaugh, *After Crisis of Unprecedented Migrant Arrivals, U.S. Cities Settle into New Normal*, Migration Policy Institute (Aug. 1, 2024), <https://www.migrationpolicy.org/article/us-cities-innovations-integrate-arrivals>.

³⁴ *See* Muzaffar Chishti & Colleen Putzel-Kavanaugh, *After Crisis of Unprecedented Migrant Arrivals, U.S. Cities Settle into New Normal*, Migration Policy Institute (Aug. 1, 2024), <https://www.migrationpolicy.org/article/us-cities-innovations-integrate-arrivals>.

³⁵ Nick Mordowanec, *Map Shows Hotspots for Migrants Flying Into U.S.*, Newsweek (May 1, 2024), <https://www.newsweek.com/migrants-dhs-flying-border-illegal-1896239>.

²⁴ DHS notes that on October 4, 2024, the prior administration announced that there would be no “re-parole” beyond the initial two-year period for the parolees who entered the United States under the CHNV parole programs. The decision of the prior administration to decline renewal or extension of the CHNV related parole coincided in large part with other actions of DHS to promulgate policies to reduce illegal immigration.

²⁵ OHSS analysis of January 2025 OHSS Persist Dataset.

²⁶ OHSS analysis of January 2025 OHSS Persist Dataset.

²⁷ OHSS analysis of January 2025 OHSS Persist Dataset.

²⁸ OHSS analysis of data downloaded from UIP February 25, 2025.

7 CFR 273.4(a)(6)(ii)(J), as might “a Cuban or Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980),” see 7 CFR 273.4(a)(6)(ii)(E). Similarly, some states have extended Medicaid and Children’s Health Insurance Program benefits without a five-year waiting period to “lawfully residing” children and pregnant women, which includes an alien who is paroled into the United States under INA 212(d)(5) for a period of at least 1 year.³⁶

Second, the CHNV parole programs have exacerbated backlogs, or risked exacerbating backlogs, for the immigration system writ large. For example, the population of aliens paroled into the United States and who have filed an application for asylum contributes to an already taxed immigration system with historically high backlogs before USCIS and the Executive Office for Immigration Review (“EOIR”).³⁷ Many such parolees may not otherwise have come to the United States and have exacerbated such backlogs or are likely to eventually do so. U.S. Citizenship and Immigration Services (“USCIS”) recently reported that as of the end of December 2024, the USCIS asylum backlog had increased to over 1.4 million cases.³⁸ CHNV parolees account for approximately 75,000 affirmative asylum applications.³⁹ In addition, when a CHNV parolee’s two-year parole period ends, if the CHNV parolee has no lawful basis to remain in the United States, DHS may place the alien in section 240 removal proceedings. But, due in part to the overwhelmed expedited removal system, EOIR’s immigration court backlog has already been growing rapidly, and will be further strained by the initiation of additional removal proceedings for the CHNV parolee population once their parole period ends. The immigration court backlog increased by approximately 44 percent between the end of FY 2023 (2.5 million cases) and FY 2024 (3.6 million cases).⁴⁰

Third, the CHNV parole programs had a disruptive impact for CBP operations at interior air POEs. A progressive increase in beneficiaries of the CHNV parole programs arriving at POEs with advance travel authorizations (“ATAs”) were ultimately not granted parole due to CBP’s determination that the alien did not warrant a discretionary grant of parole, for instance due to evidence of fraud or confirmation that the alien was a citizen or resident of a non-CHNV country. As a result, CBP processed these aliens for another appropriate disposition under Title 8, including detention or referral into expedited removal proceedings or section 240 removal proceedings, as appropriate. This caused further processing delays and coordination with air carriers for return flights when appropriate, and further contributed to the immigration court backlog.

The overwhelmed immigration systems in particular may incentivize aliens to enter the United States, without regard to the strength of any potential claims for immigration status, as aliens who are subject to expedited removal may nevertheless be placed in section 240 removal proceedings when the system is strained beyond its processing capacity. As a result, many remain in the United States until their immigration benefit requests are adjudicated or their section 240 removal proceedings conclude and any resultant removal order is executed. Any further strain to the immigration systems resulting from aliens pursuing the CHNV parole programs exacerbates these detrimental incentives.

In short, the domestic impact of the CHNV parole programs do not warrant continuing to operate these programs. Implementation of these programs coincided with an overall increase in CHNV migration, significant pressures on localities throughout the country, an expansion of public benefits eligibility, and a further exacerbation of USCIS and immigration court backlogs.

3. The CHNV Parole Programs Are Inconsistent With the Administration’s Foreign Policy Goals

One of the stated goals of the CHNV parole programs was to promote the foreign policy objectives of the prior administration. Indeed, DHS explained repeatedly in its notices promulgating the CHNV parole programs that their implementation would advance the foreign policy objectives of the then-current administration.⁴¹ The foreign

policy objectives underlying the CHNV parole programs, however, are not consistent with those of the current Administration.

Executive Order 14150, “America First Policy Directive to the Secretary of State” (Jan. 20, 2025) clearly sets out the President’s vision that “the foreign policy of the United States shall champion core American interests and always put America and American citizens first.”⁴² Executive Order 14159, “Protecting the American People Against Invasion” (Jan. 20, 2025) states that it is the policy of the United States to “faithfully execute the immigration laws against all inadmissible and removable aliens, particularly those aliens who threaten the safety or security of the American people.” Further, it is the policy of the United States to achieve the “total and efficient enforcement of those laws, including through lawful incentives and detention capabilities.”⁴³

Whereas implementation of the CHNV parole programs was contingent upon the Government of Mexico (“GOM”) making an independent decision to accept the return or removal of CHNV nationals who migrated illegally, the U.S. Government is pursuing a range of other policy initiatives that would allow DHS to return, remove, or deter the illegal migration of CHNV nationals and other aliens. Section 13 of that Executive Order 14159 specifically addresses repatriation, and directs the Secretaries of State and Homeland Security to take all appropriate action to cooperate and effectively implement, as appropriate, the sanctions provided by section 243(d) of the INA (8 U.S.C. 1253(d)), and ensure that diplomatic efforts and negotiations with foreign states include the foreign states’ acceptance of their nationals who are subject to removal from the United States. Section 13 further directs the Secretaries to eliminate all documentary barriers, dilatory tactics, or other restrictions that prevent the prompt repatriation of aliens to any foreign state. The Order provides that any failure or delay by a foreign state to verify the identity of a national of that state shall be considered in carrying out section 243(d) sanctions and shall also be considered regarding the issuance of

1253 (“[the Haiti process] is fully aligned with larger and important foreign policy objectives of this Administration”).

⁴² See Executive Order 14150, America First Policy Directive to the Secretary of State, 90 FR 8337 (Jan. 20, 2025) (published Jan. 29, 2025).

⁴³ See Executive Order 14159, Protecting the American People Against Invasion, 90 FR 8443 (Jan. 20, 2025) (published Jan. 29, 2025).

³⁶ See 42 U.S.C. 1396b(v)(4) (Medicaid); 42 U.S.C. 1397gg(e)(1)(O) (CHIP).

³⁷ See Holly Straut-Eppsteiner, Cong. Rsch. Serv. IN12492, FY2024 EOIR Immigration Court Data: Caseloads and the Pending Cases Backlog (2025); see also Elizabeth Jacobs, *Affirmative Asylum Backlog Exceeds One Million for the First Time* (Center for Immigration Studies) (July 26, 2024), <https://cis.org/Jacobs/Affirmative-Asylum-Backlog-Exceeds-One-Million-First-Time>.

³⁸ USCIS, Performance Data, Asylum Division Monthly Statistics Report (Dec. 2024), https://www.uscis.gov/sites/default/files/document/data/asylumfiscalyear2025todatstats_241231.xlsx (last visited Feb. 25, 2025).

³⁹ USCIS Office of Performance & Quality.

⁴⁰ EOIR, Executive Office for Immigration Review Adjudication Statistics (Jan. 16, 2025), <https://www.justice.gov/eoir/media/1344791/dl?inline>.

⁴¹ See e.g., 87 FR at 63516 (“the implementation of [the Venezuela process] will advance the Administration’s foreign policy goals”); 88 FR at

any other sanctions that may be available to the United States.

Further, as noted above, Executive Order 14165, “Securing Our Borders” states that DHS shall “terminate all categorical parole programs that are contrary to the policies of the United States established in [the President’s] Executive Orders, including the program known as the ‘Processes for Cubans, Haitians, Nicaraguans, and Venezuelans.’”⁴⁴ In the same Order, the President directed that as soon as practicable, the Secretary of Homeland Security, in coordination with the Secretary of State and the Attorney General, shall take all appropriate action to resume the Migrant Protection Protocols in all sectors along the southern border of the United States and ensure that, pending section 240 removal proceedings, aliens described in section 235(b)(2)(C) of the INA (8 U.S.C. 1225(b)(2)(C)) are returned to the territory from which they came.

The President has pursued the cooperation of foreign partners in other ways as well. For instance:

- On January 23, 2025, President Trump in his call with Salvadoran President Nayib Bukele discussed working together to stop illegal immigration and crack down on transnational gangs like Tren de Aragua.⁴⁵

- On January 26, 2025, the Government of Colombia agreed to the unrestricted acceptance of all illegal aliens from Colombia returned from the United States, including on U.S. military aircraft, without limitation or delay.⁴⁶

- On January 27, 2025, President Trump had a productive conversation with Indian Prime Minister Narendra Modi, who agreed to “do what’s right” in regard to illegal migration.⁴⁷

- Beginning on February 1, 2025, President Trump has issued a number of tariff-related executive orders in connection with the situation at the southern border.⁴⁸

⁴⁴ See Executive Order 14165, Securing Our Borders, 90 FR 8467 (Jan. 20, 2025) (published Jan. 30, 2025).

⁴⁵ The White House, “Readout of President Donald J. Trump’s Call with President Nayib Bukele” (Jan. 23, 2025), <https://www.whitehouse.gov/briefings-statements/2025/01/readout-of-president-donald-j-trumps-call-with-president-bukele/>.

⁴⁶ The White House, “Statement From the Press Secretary” (Jan. 26, 2025), <https://www.whitehouse.gov/briefings-statements/2025/01/statement-from-the-press-secretary/>.

⁴⁷ Meryl Sebastian, *Trump Says India ‘Will Do What’s Right’ on Illegal Immigration* BBC News (Jan. 27, 2025), <https://www.bbc.com/news/articles/cj91z842wlmo>.

⁴⁸ See, e.g., Executive Order 14194, Imposing Duties to Address the Situation at Our Southern

- On February 16, 2025, Panama received a first U.S. military plane transporting 119 deportees of various nationalities, who will then be repatriated to their own respective countries. Panamanian President Jose Raul Mulino has offered his country as a stopover for aliens expelled from the United States.⁴⁹

Multiple agencies of the U.S. Government are actively pursuing the President’s foreign policy goals. For instance, the Department of State has announced multiple discussions with neighboring countries regarding DHS’s ability to remove or return illegal aliens,⁵⁰ consistent with Secretary of State Rubio’s January 22, 2025 announcement that a key priority of the Department of State is to curb mass migration and secure our borders.⁵¹ In that announcement, the Department of State made clear that it “will no longer undertake any activities that facilitate or encourage mass migration” and that “[o]ur diplomatic relations with other countries, particularly in the Western Hemisphere, will prioritize securing America’s borders, stopping illegal and destabilizing migration, and negotiating the repatriation of illegal immigrants.”⁵² Additionally, pursuant to his authority under section 219 of the INA, 8 U.S.C. 1189,⁵³ Secretary of State

Border, 90 FR 9117 (Feb. 1, 2025) (published Feb. 7, 2025); Executive Order 14198, Progress on the Situation at Our Southern Border, 90 FR 9185 (Feb. 3, 2025) (published Feb. 10, 2025); Executive Order 14227, Amendment to Duties to Address the Situation at Our Southern Border, 90 FR 11371 (Mar. 2, 2025) (published Mar. 6, 2025).

⁴⁹ *Panama Receives First U.S. Deportation Flight Under Trump Administration*, The Tico Times (Feb. 16, 2025), <https://ticotimes.net/2025/02/16/panama-receives-first-us-deportation-flight-under-trump-administration>.

⁵⁰ See, e.g., U.S. Department of State, Readout, Secretary Rubio’s Meeting with Salvadoran President Nayib Bukele (Feb. 3, 2025) (“President Bukele agreed to take back all Salvadoran MS–13 gang members who are in the United States unlawfully. He also promised to accept and incarcerate violent illegal immigrants, including members of the Venezuelan Tren de Aragua gang, but also criminal illegal migrants from any country.”), <https://www.state.gov/secretary-rubios-meeting-with-salvadoran-president-nayib-bukele/>; U.S. Department of State, Readout, Secretary Rubio’s Meeting with Panamanian President Mulino (Feb. 2, 2025) (“Secretary Rubio also emphasized the importance of collaborative efforts to end the hemisphere’s illegal migration crisis and thanked President Mulino for his support of a joint repatriation program, which has reduced illegal migration through the Darien Gap.”), <https://www.state.gov/secretary-rubios-meeting-with-panamanian-president-mulino/>.

⁵¹ U.S. Department of State, Press Statement, Priorities and Mission of the Second Trump Administration’s Department of State (Jan. 22, 2025).

⁵² *Id.*

⁵³ See Executive Order 14157, Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global

Rubio designated the Venezuelan gang, Tren de Aragua, along with other cartels and gangs, as Foreign Terrorist Organizations.⁵⁴

In other words, in addition to directly fulfilling the President’s directive to terminate the CHNV parole programs, this action complements and underscores the Administration’s pivot to a foreign policy that prioritizes the United States’ interests in a secure border. Regardless of whether the prior Administration saw the CHNV parole programs as a component of a regional migration management strategy, the current Administration is not pursuing that strategy. Rather, as described above, the current Administration has focused its foreign policy attention on other measures to deter and prevent the entry of illegal aliens into the United States and obtain complete operational control of our borders.

These measures will allow DHS to better “achieve the total and efficient enforcement” of U.S. immigration law and, as such, champion a core American interest in accordance with the President’s vision for American foreign policy.⁵⁵ In short, the continued implementation of the CHNV parole programs no longer accords with the President’s stated priorities and foreign policy objectives.

4. Other Factors Do Not Counsel in Favor of Maintaining the Programs

The other factors cited by DHS in promulgating the CHNV parole programs also do not counsel in favor of maintaining the programs. For instance:

- DHS predicted that by allowing DHS to vet aliens before they travel to the United States, the programs would enhance national security as compared to high levels of illegal immigration. But as discussed above, these programs are unnecessary to counter high levels of illegal immigration. In addition, and critically, such vetting is inherently limited and, as has been reported publicly, there were significant gaps in the vetting process. In response to these problems, the CHNV parole programs were paused briefly in July 2024 to evaluate the program vulnerabilities.⁵⁶

Terrorists, 90 FR 8439 (Jan. 20, 2025) (published Jan. 29, 2025).

⁵⁴ Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana, 90 FR 10030 (Feb. 20, 2025).

⁵⁵ See Executive Order 14159, Protecting the American People Against Invasion, 90 FR 8443 (Jan. 20, 2025) (published Jan. 29, 2025).

⁵⁶ Stephen Dinan, *‘Parole’ program put on hold amid massive fraud; Homeland Security promises to set up safeguards*, Wash. Times (Aug. 2, 2024),

• DHS also initially reasoned that the CHNV parole programs would disincentivize a dangerous journey that puts aliens' lives and safety at risk and enriches smuggling networks. As noted above, however, although these programs were accompanied by a significant decrease in CHNV encounters between southwest border POEs, they were also accompanied by a significant increase in CHNV encounters at southwest land border POEs. This indicates that CHNV nationals continued to engage in dangerous migration to the southwest border, even if the overall level of migration to the southwest border dropped somewhat and CHNV aliens did not cross between POEs with the same frequency. And, as also noted above, the U.S. Government has implemented other policies that have more effectively deterred illegal immigration.

• Another stated goal of the CHNV parole programs was to reduce the burden on DHS personnel and resources that would otherwise be required for detention, monitoring, processing, and removal. However, as noted above, significant resource burdens persisted even after the programs' implementation, including with respect to encounters at and between POEs. Program implementation itself occupied significant resources. For instance, there have been approximately 2,970,000 Forms I-134 and I-134A filed with USCIS since October 2022,⁵⁷ which includes 2,140,000 pending review, 642,410 confirmed by USCIS, and 181,820 non-confirmed by USCIS.⁵⁸ Further, DHS needed additional resources to counter the fraud, national

<https://www.washingtontimes.com/news/2024/aug/2/dhs-suspends-parole-program-amid-rampant-fraud/>.

⁵⁷ Under the parole program for Venezuelans, a U.S.-based supporter would initiate consideration for parole under the program by filing Form I-134, *Declaration of Financial Support* (Online), along with supporting evidence. 87 FR at 63515. In January 2023, when DHS expanded the programs to cover Cubans, Haitians, and Nicaraguans and their immediate family members as well, DHS announced that it would instead begin accepting the Form I-134A *Online Request to be a Supporter and Declaration of Financial Support*, along with supporting evidence, to initiate consideration for parole under all four programs. See, e.g., 88 FR at 1279. Neither form could be filed on paper by mail and neither form required the payment of a fee.

⁵⁸ OHSS analysis of USCIS Form I-134/Form I-134A data as of January 22, 2025. The Venezuelan parole program started on October 18, 2022, and the Cuba, Haiti, Nicaragua parole programs started January 6, 2023. "Confirmed" in this context meant that that USCIS had determined that the supporter was eligible to be a supporter and that they demonstrated the ability to financially support the beneficiary, while "non-confirmed" meant that USCIS had determined that the potential supporter had been determined to be ineligible to be a supporter or failed to demonstrate ability to financially support the beneficiary.

security concerns, and public safety concerns discussed above. In addition, due to the originating location of beneficiaries of the CHNV parole programs and available travel routes via commercial airlines, over 80 percent of the aliens who were issued an ATA under the CHNV parole programs flew to Florida POEs. The unexpected increase in approximately 25,000 inadmissible aliens per month resulted in CBP experiencing a decrease in enforcement operations and an increase in wait times, overtime expenditures, and other needs at Florida POEs. Processing an alien requesting parole under the CHNV parole programs requires secondary processing and enrollment of biometrics, resulting in a more extensive and prolonged time in CBP facilities.

IV. Reliance Interests of Prospective Supporters and Parolees

In deciding whether and how to terminate the CHNV parole programs, DHS has considered potential reliance interests of a range of potential supporters and beneficiaries of these programs. At the outset, however, DHS observes that the temporary and discretionary nature of the programs indicate that reliance on the continued existence of the CHNV parole programs would be unwarranted. The notices establishing the CHNV parole programs expressly advise the public that, "[t]he Secretary retains the sole discretion to terminate the [Parole Program] . . . at any point"⁵⁹ and that "DHS may terminate parole in its discretion at any time."⁶⁰ The CHNV parole programs were "being implemented as a matter of the Secretary's discretion. [They are] not intended to and [do] not create any rights, substantive or procedural, enforceable by any party in any matter, civil or criminal."⁶¹

In addition, DHS observes that on October 4, 2024, the prior administration announced that there was no re-parole process under CHNV, informing participants that, "if you have not sought a lawful status or period of authorized stay, you will need to leave the United States before your authorized parole period expires, or you may be placed in removal proceedings after your period of parole expires."⁶² Finally, as noted above, Executive Order 14165 directs the Secretary to terminate

the CHNV parole programs consistent with law.

Notwithstanding that DHS made very clear that reliance on these programs would be inappropriate, that DHS made clear months ago that there would be no "re-parole" process under the CHNV parole programs, and the additional notice provided in Executive Order 14165, DHS has analyzed the effects of this action on any potential reliance interests in an abundance of caution.⁶³

1. Reliance Interests of Potential Supporters and Beneficiaries

DHS first considered the potential reliance interests of those U.S.-based supporters who had intended to file or have filed a Form I-134A in support of a potential parolee. In general, the costs associated with such filings are minimal. The potential supporter may have incurred the opportunity cost of completing Form I-134A, estimated at 2.60 hours per response, and a few potential supporters who submitted Form I-134A may have submitted their biometrics (photograph and fingerprints) at a USCIS Application Support Center for biometric screening and vetting by USCIS as part of the review of their Form I-134A.⁶⁴

At this early stage in the process, the costs incurred by a potential beneficiary are also minimal. Once a supporter is confirmed, the potential beneficiary receives instructions to create a USCIS online account, confirm their biographic information in their online account, and attest to meeting the eligibility requirements, including public health requirements, and certain vaccination requirements. It is also possible that a beneficiary who has received instructions to create an online account may have obtained vaccinations in anticipation of the required attestation. After confirming their biographic information, the beneficiary received instructions to access the CBP One mobile application to enter biographic information and submit a live photo. CBP One was used to collect the beneficiary's biographic information and photo and was an additional step in the process prior to the alien being authorized to travel to the United States to seek parole. The total estimated time to complete the CBP One part of the

⁶³ See USCIS, Frequently Asked Questions About the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans (Oct. 4, 2024), available at <https://web.archive.org/web/20250104043158/https://www.uscis.gov/humanitarian/frequently-asked-questions-about-the-processes-for-cubans-haitians-nicaraguans-and-venezuelans>.

⁶⁴ Biometrics submission is estimated to require 1.17 hours per respondent. 89 FR 104557 (Dec. 23, 2024).

⁵⁹ E.g., 88 FR at 1268 (Cuba).

⁶⁰ E.g., 88 FR at 1272 (Cuba).

⁶¹ E.g., 88 FR at 1277 (Cuba).

⁶² Camilo Montoya-Galvez, *U.S. Won't Extend Legal Status For 530,000 Migrants Who Arrived Under Biden Program*, CBS News (Oct. 4, 2024), <https://www.cbsnews.com/news/venezuelans-legal-status-chnv-program/>.

ATA process was 10 minutes. *See* 88 FR 62810, 62812 (Sept. 13, 2023).

In general, these costs are not significant and pale in comparison to the U.S. Government's sovereign interest in determining who is paroled into the United States. DHS intends to issue a notice of non-confirmation for all remaining pending Forms I-134A. DHS will also rescind the confirmation of all Form I-134A that were previously confirmed and issue updated notices of non-confirmation for any potential beneficiaries who have not yet traveled to a POE to seek parole. Potential beneficiaries will no longer be able to execute any attestations or seek ATA through a USCIS online account based on a previously confirmed Form I-134A.

2. Reliance Interests of Potential Beneficiaries With Approved ATAs and Their Supporters

A beneficiary with an approved ATA may travel to the United States to seek a discretionary grant of parole. Authorization is generally valid for 90 days, and beneficiaries are responsible for securing their own travel, at no cost to the U.S. government, via commercial air to the United States.⁶⁵ DHS intends to cancel all pending applications for advance authorizations to travel to the United States to seek a discretionary grant of parole under the CHNV parole programs. There are no currently approved ATAs upon which an alien may travel under the CHNV parole programs.⁶⁶

A beneficiary whose application for an ATA is cancelled may have, for example, provided notice to their landlord, sold property, and/or resigned from employment. In addition, a confirmed Form I-134A supporter may have incurred expenses, for example, to secure living quarters or furniture for the beneficiary in anticipation of their process being completed through parole into the United States.

DHS recognizes that the potential costs incurred by supporters and potential beneficiaries at this point could be viewed as significant. Nevertheless, as explained above, supporters and potential beneficiaries were apprised that DHS could terminate the programs at any point. Moreover, the notices for each parole program made it clear that the approval of an

ATA or grant of parole at a POE was entirely discretionary. *See, e.g.*, 88 FR 1243, 1252 (noting that a potential beneficiary may be "ineligible for advance authorization to travel to the United States as well as parole under this process" for a range of reasons, including if the alien "fails to pass national security and public safety vetting or is otherwise deemed not to merit a favorable exercise of discretion"); 88 FR at 1253 ("Approval of advance authorization to travel does not guarantee parole into the United States. Whether to parole the [aliens] is a discretionary determination made by CBP at the POE at the time the [alien] arrives at the interior POE"); 88 FR at 1253 ("[Aliens] who . . . otherwise do not warrant parole pursuant to [section 212(d)(5)(A) of the INA], and as a matter of discretion upon inspection, . . . may be referred to ICE for detention."). While the termination of the CHNV parole programs as provided in this notice may result in costs incurred by both the supporter and potential beneficiary who have prepared to travel to the United States, those parties chose to incur such expenses knowing that completion of the process was never guaranteed by the terms of the program, and the termination of the programs was possible at any time. DHS has concluded that any such reliance interests are outweighed by other interests and policy concerns as explained in this notice.⁶⁷

V. Effect of Termination on Current Parolees Under the CHNV Parole Programs and Corresponding Reliance Interests

The notices establishing the CHNV parole programs explain that parole is not an admission of the alien to the United States, and a parolee remains an applicant for admission during the period of parole in the United States. *See also* INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A). DHS may set the duration of the parole based on the purpose for

⁶⁷ DHS has considered the alternative of allowing any approved ATAs to remain in place until they were used or expired by their terms. Even if there were currently approved ATAs, DHS would not pursue this route, because DHS would not wish to incentivize aliens flying to the United States to seek parole under policies that DHS no longer supports or appear to encourage them to incur additional expenses based on a belief that they will be paroled upon arrival at the POE. Such an approach would risk exacerbating the problems created by the CHNV parole programs. As is always the case, however, CBP may consider a request for parole under DHS's existing parole authority, on a case-by-case basis for urgent humanitarian reasons or significant public benefit. If parole is not granted, the alien may be returned to their home country at U.S. Government expense or processed for another appropriate disposition under the INA.

granting the parole request and may impose reasonable conditions on parole. *Id.* Aliens may be granted advance authorization to travel to the United States to seek parole. *See* 8 CFR 212.5(f). The Secretary may terminate parole in her discretion at any time when, in her opinion, neither urgent humanitarian reasons nor significant public benefit warrants the continued presence of the alien in the United States, and parole shall be terminated when the purpose for which it was authorized has been accomplished. *See* 8 CFR 212.5(e). And, finally, aliens who are paroled into the United States, including those paroled through the CHNV parole programs, may generally apply for and be granted employment authorization under the (c)(11) employment eligibility category. *See* 8 CFR 274a.12(c)(11).

As noted above, between October 19, 2022, and January 22, 2025, approximately 532,000 inadmissible aliens received parole into the United States pursuant to the CHNV parole programs. DHS has determined that as one aspect of the termination of the CHNV parole programs, consistent with the Secretary's statutory and regulatory authority,⁶⁸ the parole of aliens who have been paroled into the United States under the CHNV parole programs and whose parole has not already expired by April 24, 2025 will terminate on that date unless the Secretary makes an individual determination to the contrary.

Following this termination, and consistent with the direction in Executive Order 14165, DHS generally intends to remove promptly aliens who entered the United States under the CHNV parole programs who do not depart the United States before their parole termination date and do not have any lawful basis to remain in the United States. DHS retains its discretion to commence enforcement action against any alien at any time, including during the 30-day waiting period created by this notice. Parolees without a lawful basis to remain in the United States following the termination of the CHNV programs must depart the United States

⁶⁸ *See* INA 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A) ("when the purposes of such parole shall, in the opinion of the Secretary of Homeland Security, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States"); 8 CFR 212.5(e)(2)(i) ("[U]pon accomplishment of the purpose for which parole was authorized or when in the opinion of one of the officials listed in paragraph (a) of this section, neither humanitarian reasons nor public benefit warrants the continued presence of the alien in the United States, *parole shall be terminated upon written notice to the alien.* . . ." (emphasis added)).

⁶⁵ Authorization to travel does not guarantee parole. Parole of the individual is a discretionary determination made by CBP when the individual arrives at the interior POE. *See, e.g.*, 88 FR 1255, 1264 (Jan. 9, 2023).

⁶⁶ OHSS analysis of advance travel authorization data provided by CBP PSPD and valid as of February 27, 2025.

before their parole termination date. Aliens departing the United States via land border POEs should report their departure once outside the United States via the CBP Home mobile app. Aliens should visit <https://i94.cbp.dhs.gov/home> for more information about voluntarily reporting their departure.

In implementing this approach, DHS intends to prioritize for removal those who (1) have not, prior to the publication of this notice, properly filed an immigration benefit request, with appropriate fee (or fee waiver request, if available) to obtain a lawful basis to remain in the United States (*e.g.*, adjustment of status, asylum, Temporary Protected Status, or T or U nonimmigrant status) and (2) are not the beneficiary of an immigration benefit request properly filed by someone else on their behalf (*e.g.*, petition for alien relative, fiancé petition, petition for immigrant employee), with appropriate fee (or fee waiver request, if available). Aliens who have since obtained a lawful immigration status or other basis that permits them to remain in the United States are not required to depart the United States pursuant to this notice.

Parole-based employment authorization under 8 CFR 274a.12(c)(11) automatically terminates upon (1) the expiration date specified on the employment authorization document, (2) DHS's institution of removal proceedings against the alien, or (3) a grant of voluntary departure. *See* 8 CFR 274a.14(a). Such employment authorization may also be revoked on notice consistent with the procedures in 8 CFR 274a.14(b). DHS has determined that, after termination of the parole, the condition upon which the employment authorization was granted no longer exists and thus DHS intends to revoke parole-based employment authorization consistent with those revocation on notice procedures. 8 CFR 274a.14(b).

DHS has considered the impacts on parolees who are affected by this discretionary decision to terminate their parole prior to the expiration of the parole period. DHS recognizes the costs incurred by some aliens who have been granted parole and traveled to the United States.⁶⁹ Parolees will have departed their native country; traveled

to the United States; obtained housing, employment authorization, and means of transportation; and perhaps commenced the process of building connections to the community where they reside.

However, any assessment of the reliance interests of CHNV parolees must account for CHNV parolees' knowledge at the outset that (1) the Secretary retained the discretion to terminate the parole programs at any point in time, and to terminate any grants of parole at any time when, in her opinion, the purposes of such parole have been served⁷⁰; and that (2) the initial term of parole would be limited to a maximum of two years. These clear, limiting conditions of the parole programs served to attenuate any long-term expectations and interests amongst CHNV parolees. Accordingly, DHS has taken these limiting conditions, along with CHNV parolees' knowledge of them, into consideration when weighing their reliance interests.⁷¹

DHS has concluded that the potential reliance interests among aliens paroled into the United States under the CHNV parole programs do not outweigh the U.S. government's strong interest in promptly removing parolees when the basis for the underlying program no longer exists. To effectuate their prompt removal, the U.S. government may in its discretion initiate expedited removal proceedings where appropriate. Expedited removal is available only when an alien has not been continuously present in the United States for at least the two years preceding the date of the inadmissibility determination. INA 235(b)(1)(iii)(II), 8 U.S.C. 1225(b)(1)(iii)(II); 8 CFR 235.3.⁷² If DHS were to allow the CHNV parolee population to remain for the full duration of their two-year parole, DHS would be compelled to place a greater proportion of this population in section 240 removal proceedings to effectuate their removal, further straining the already over-burdened immigration court system discussed in Section III.1.

To the extent that current parolees have obtained housing and employment authorization, or created new ties

within the community while in the United States, DHS notes these interests are qualitatively less than any reliance interests that might be attributed to the Deferred Action for Childhood Arrival (DACA) recipient population consistent with the discussion in *DHS v. Regents of the Univ. of Cal.*⁷³ In *Regents*, the Supreme Court reviewed whether DHS had appropriately considered the reliance interests of DACA recipients when rescinding DACA.⁷⁴ The reliance interests of DACA recipients, all of whom had been present in the United States for far longer than two years, included their enrollment in degree programs, the beginning of their careers, the starting of businesses, and the purchase of homes.⁷⁵ As the Court noted, these interests, though noteworthy, were not "necessarily dispositive," and "DHS may determine, in the particular context before it, that other interests and policy concerns [in rescinding DACA] outweigh any reliance interests."⁷⁶ For the purposes of the actions announced in this notice, DHS notes the reliance interests of those paroled under the CHNV parole programs are far less than the population in *Regents*. Further, as stated above, the reliance interests under the CHNV parole programs must take into account the express, discretionary terms of the parole program. Accordingly, the reliance interests are outweighed by the U.S. government's strong interest in promptly returning parolees when the basis for the underlying parole no longer exists.

Third parties, including employers, landlords, and others, may also have indirect reliance interests in the availability of individual CHNV parolees, but even if DHS had allowed the grants of parole to expire at the end of their designated terms, such third parties would have experienced the effects of such expiration. By providing 30 days' notice, DHS balances the benefits of a wind-down period for aliens and third parties with the exigency of promptly enforcing the law against those aliens lacking a lawful basis to remain in the United States. For the same reasons set forth above, DHS finds the U.S. government's interest in terminating these grants of parole outweigh any reliance interest of third parties.

DHS has considered the alternative of permitting CHNV participants' parole to remain in effect until the natural expiration of the parole, as DHS has in

⁶⁹ *See Encino Motorcars, LLC v. Navarro*, 579 U.S. 211, 221–22 (2016) ("Agencies are free to change their existing policies as long as they provide a reasoned explanation for the change. . . . But the agency must at least display awareness that it is changing position and show that there are good reasons for the new policy. In explaining its changed position, an agency must also be cognizant that longstanding policies may have engendered serious reliance interests that must be taken into account." (cleaned up)).

⁷⁰ As explained throughout this notice, the Secretary has determined that the purposes of parole under the CHNV programs have been served because, *inter alia*, the CHNV parole programs are unnecessary to achieve border security goals; the domestic impact of the CHNV parole programs was too great; and the programs are inconsistent with this Administration's foreign policy goals.

⁷¹ *See DHS v. Regents of the Univ. of Cal.*, 591 U.S. 1, 32 (2020) (noting that DHS could conclude that reliance is "unjustified in light of the express limitations" in relevant immigration policy).

⁷² *See Designating Aliens for Expedited Removal*, 90 FR 8139 (Jan. 24, 2025).

⁷³ 591 U.S. 1 (2020).

⁷⁴ *Id.* at 31.

⁷⁵ *Id.*

⁷⁶ *Id.*

the past done with some parole terminations. *See, e.g.*, 82 FR 38926, 38927 (Aug. 16, 2017). However, DHS has opted to not pursue this route. As explained above, this would essentially foreclose DHS's ability to expeditiously remove those CHNV parolees with no lawful basis to remain in the United States. Under this alternative, CHNV parolees may begin to accrue more than two years of continuous presence in the United States, such that DHS would have to initiate section 240 removal proceedings to effectuate their removal. *See* INA 235(b)(1)(iii)(II), 8 U.S.C. 1235(b)(1)(iii)(II). As a result, the already overburdened immigration court system would be further taxed with adjudicating the section 240 removal proceedings for the pertinent CHNV beneficiary population, a result DHS finds unacceptable.

DHS has also considered the alternative of a longer than 30-day wind-down period. After due consideration, DHS has also decided not to pursue this option. As discussed above, DHS has a strong interest in preserving the ability to initiate expedited removal proceedings to the maximum extent possible for the appropriate CHNV population to prevent further straining of the overburdened immigration court system. Any lengthening of the wind-down period will increase the likelihood that additional CHNV parolees are no longer subject to expedited removal.⁷⁷ DHS has determined that a 30-day wind-down period provides affected parties sufficient notice while also preserving DHS's ability to enforce the law promptly against those CHNV parolees lacking a lawful basis to remain in the United States. Accordingly, DHS is opting not to increase the wind-down period to more than 30 days.

VI. Federal Register Notice as Constructive Notice

This **Federal Register** notice serves as notice of the termination of the CHNV parole programs and satisfies the requirement that DHS provide written notice upon the termination of parole. *See* 8 CFR 212.5(e)(2)(i) (“ . . . Upon accomplishment of the purpose for which parole was authorized or when in the opinion of one of the officials listed in paragraph (a) of this section, neither humanitarian reasons nor public benefit warrants the continued presence of the alien in the United States, *parole shall*

⁷⁷ According to OHSS analysis of data provided by USCIS, for each month from March 2025 through September 2026, there are thousands of CHNV parolees who will become ineligible for expedited removal upon the natural expiration of their two-year parole.

be terminated upon written notice to the alien. . . .” (emphasis added)). For the reasons set forth above, the Secretary has concluded that neither urgent humanitarian reasons nor significant public benefit warrants the continued presence of aliens paroled under the CHNV programs and the purposes of such parole therefore have been served. This notice accordingly serves as written notice to CHNV parolees.

DHS has determined that publication of this notice in the **Federal Register** is legally sufficient notice to all interested or affected persons regardless of actual knowledge or hardship resulting from ignorance. *See* 44 U.S.C. 1507; *Friends of Sierra R.R., Inc. v. I.C.C.*, 881 F.2d 663, 667–68 (9th Cir. 1989); *see also Fed. Crop Ins. Corp. v. Merrill*, 332 U.S. 380, 385 (1947) (“Congress has provided that the appearance of rules and regulations in the **Federal Register** gives legal notice of their contents.”).

DHS finds **Federal Register** publication of the decision to terminate existing grants of parole to be the most practicable approach in light of the size of the affected population and potential noncompliance with change-of-address reporting requirements. *See* 8 U.S.C. 1305; 8 CFR 265.1. Because all CHNV parolees should have a USCIS online account and all processing under these parole programs took place electronically, DHS will also provide individual notice to each parolee through their USCIS online account. *Cf.*, *e.g.*, 8 CFR 103.2(b)(19)(ii)(B) (“For applications or petitions filed electronically, USCIS will notify both the applicant or petitioner and the authorized attorney or accredited representative electronically of any notices or decisions. . . .”). This notice, and the individual notice through the USCIS online account, each independently constitute “written notice to the alien” under 8 CFR 212.5(e)(2)(i).

VII. Administrative Procedure Act

This notice is exempt from notice-and-comment rulemaking requirements because DHS is merely adopting a general statement of policy, 5 U.S.C. 553(b)(A). *i.e.*, a “statement [] issued by an agency to advise the public prospectively of the manner in which the agency proposes to exercise a discretionary power.” *Lincoln v. Vigil*, 508 U.S. 182, 197 (1993) (quoting *Chrysler Corp. v. Brown*, 441 U.S. 281, 302 n.31 (1979)). By terminating the CHNV parole programs—which themselves constituted general statements of policy, *see, e.g.*, 88 FR at 1277—DHS is explaining how it will implement the Secretary's broad

discretion for exercising her narrow parole authority. Accordingly, this notice of termination constitutes a general statement of policy and is exempt from the notice-and-comment rulemaking requirements under the Administrative Procedure Act (APA).⁷⁸

When an agency merely explains how it will enforce a statute or regulation by describing how it will exercise its broad enforcement discretion, as was the case with the CHNV parole programs, it is a general statement of policy. *See Lincoln*, 508 U.S. at 197. Section 212(d)(5)(A) of the INA, 8 U.S.C. 1182(d)(5)(A) provides the Secretary broad discretion in exercising the parole authority, with parole decisions made by the Secretary of Homeland Security “in [her] discretion.” The CHNV parole programs therefore were general statements of policy.

Because the CHNV parole programs constitute general statements of policy and were exempt from notice-and-comment rulemaking requirements under the APA, their termination likewise is a mere general statement of policy exempt from the notice and comment rulemaking requirements. Through the termination of the CHNV parole programs and for the reasons given, DHS is merely making a change to a previous policy statement on the exercise of its discretionary parole authority.⁷⁹ Accordingly, there is no requirement to publish notice prior to the termination's effective date, and it is therefore amenable to immediate issuance and implementation.⁸⁰

Even if the changes were considered to be a legislative rule that would normally be subject to notice and comment rulemaking and a delayed effective date, these changes—like the implementation of the parole programs themselves⁸¹—pertain to a foreign affairs function of the United States, and are exempt from such procedural requirements on that basis.⁸² Consistent

⁷⁸ *Cf. Perez v. Mortg. Bankers Ass'n*, 575 U.S. 92, 101 (“Because an agency is not required to use notice-and-comment procedures to issue an initial interpretive rule, it is also not required to use those procedures when it amends or repeals that interpretive rule.”).

⁷⁹ *See Encino Motorcars*, 579 U.S. at 221 (“Agencies are free to change their existing policies as long as they provide a reasoned explanation for the change.”).

⁸⁰ *See* 5 U.S.C. 553(d)(2).

⁸¹ *See* 5 U.S.C. 553(a)(1); 88 FR at 1277; 88 FR at 1253; 88 FR at 1264; 87 FR at 63516 (as modified by 88 FR 1279).

⁸² *See Am. Ass'n of Exps. & Imps.-Textile & Apparel Grp. v. United States*, 751 F.2d 1239, 1249 (Fed. Cir. 1985) (noting that foreign affairs exception covers agency actions “linked intimately with the Government's overall political agenda concerning relations with another country”); *Yassini v. Crosland*, 618 F.2d 1356, 1361 (9th Cir.

with the Secretary of State's February 21, 2025 determination that "all efforts, conducted by any agency of the federal government, to control the status, entry, and exit of people, and the transfer of goods, services, data, technology, and other items across the borders of the United States, constitute a foreign affairs function of the United States[.]" DHS finds that these changes are connected to the entry and exit of people and thereby constitute a foreign affairs function.⁸³

Moreover, although the APA does not require the agency to show that such procedures may result in "definitely undesirable international consequences" to invoke the foreign affairs exemption to notice-and-comment rulemaking, some courts have required such a showing,⁸⁴ and DHS can make one here. Delaying rescission of the CHNV parole programs to undertake rulemaking would undermine the U.S. Government's ability to conduct foreign policy, including the ability to shift governmental policies and engage in delicate and time-sensitive negotiations following a change in Administration. It is the view of the United States that the termination of these parole programs will fulfill important foreign policy goals that the President has repeatedly articulated and urged DHS to implement swiftly; any delay in achieving such goals is definitely undesirable.

As explained in Section III.3 of this notice, the CHNV parole programs were implemented as an integral part of negotiations with regional neighbors, including Mexico, to address unlawful migratory flows challenging immigration systems throughout the region. For instance, in announcing the Venezuela parole program, DHS explained that even if the program were considered to be a legislative rule that would normally be subject to requirements for notice-and-comment rulemaking and a delayed effective date, the program would be exempt from such requirements because it involves a foreign affairs function of the United

States.⁸⁵ DHS cautioned that it "will not implement the new parole process without the ability to return Venezuelan nationals who enter [unlawfully] to Mexico, and the United States' ability to execute this process thus requires the GOM's willingness to accept into Mexico those who bypass this new process and enter the United States [unlawfully] between POEs." DHS explained that "initiating and managing this process will require careful, deliberate, and regular assessment of the GOM's responses to this unilateral U.S. action and ongoing, sensitive diplomatic engagements."⁸⁶ DHS noted that the program was "not only responsive to the interests of key foreign partners—and necessary for addressing migration issues requiring coordination between two or more governments—[but] also fully aligned with larger and important foreign policy objectives of [the prior] Administration and fits within a web of carefully negotiated actions by multiple governments."⁸⁷ When implementing the Cuba, Haiti, and Nicaragua parole programs, DHS invoked the foreign affairs exemption on similar grounds.⁸⁸

Yet, as also discussed in Section III.3 of this notice, U.S. foreign policy has changed in critical respects, and DHS must expeditiously align its policies to that change. Whereas implementation of the CHNV parole programs was contingent upon the GOM making an independent decision to accept the return or removal of CHNV nationals who migrated illegally, the U.S. Government is pursuing a range of other policy initiatives that would allow DHS to return or remove CHNV nationals, including re-implementation of the Migrant Protection Protocols and improved cooperation and coordination with other countries regarding return or removal of their or third country nationals.

In the context of these complex and time-sensitive diplomatic negotiations, it would be counterproductive to retain vestiges of a foreign policy approach that the United States is no longer pursuing, even temporarily, to allow for a period of public comment about matters that implicate our foreign affairs and are ultimately within the Executive's discretion. Continuing to administer the CHNV parole programs pending notice-and-comment would adversely affect the United States' ability to pivot rapidly to a more effective approach in these negotiations

and may result in an even greater number of CHNV nationals requiring removal or return. Further delay in pursuing these more effective approaches would be particularly pernicious in the context of ongoing negotiations, as discussed in section III.3 of this notice, with countries to accept the removal of illegal aliens, including inadmissible CHNV nationals.

Finally, and for the same reasons that a delay in implementing this action would result in undesirable international consequences, even if notice-and-comment and a delayed effective date were required, DHS has determined that the good cause exemptions to notice-and-comment rulemaking and the 30-day effective date apply and that the delay associated with implementing these changes through notice-and-comment rulemaking or delaying the effective date would be impracticable and contrary to the public interest. Any delay for such procedures would harm the U.S. Government's ability to timely implement the current Administration's foreign policy approach and exacerbate the challenges associated with the CHNV parole programs, as explained throughout this notice, contrary to the President's direction to protect the American people against invasion and to secure the border. Such an outcome would also be inconsistent with the fundamentally discretionary nature of DHS's parole authority.⁸⁹

VIII. Severability

DHS intends for the decisions announced in this notice to be severable from each other and to be given effect to the maximum extent possible, such that if a court holds that any provision is invalid or unenforceable—whether in their entirety or as to a particular person or circumstance—the other provisions will remain in effect as to any other person or circumstance.⁹⁰ The various decisions in this notice are designed to function sensibly without the others, and DHS intends for them to be severable so that each can operate independently.

⁸⁹ See 5 U.S.C. 553(b)(B), 553(d)(3); see *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 754–55 (D.C. Cir. 2001) ("a situation is 'impracticable' when an agency finds that due and timely execution of its functions would be impeded by the notice otherwise required"); see also Executive Order 14159, 90 FR 8443 (Jan. 20, 2025) (published Jan. 29, 2025).

⁹⁰ Courts have uniformly held that the APA, 5 U.S.C. 706(2), authorizes courts to sever and set aside "only the offending parts of the rule." *Carlson v. Postal Regulatory Comm'n*, 938 F.3d 337, 351 (D.C. Cir. 2019); see, e.g., *K Mart Corp. v. Cartier, Inc.*, 486 U.S. 281, 294 (1988).

1980) (because an immigration directive "was implementing the President's foreign policy," the action "fell within the foreign affairs function and good cause exceptions to the notice and comment requirements of the APA").

⁸³ U.S. Secretary of State, *Determination: Foreign Affairs Functions of the United States*, 90 FR 12200 (Feb. 21, 2025) (published Mar. 14, 2025). The Secretary of State's determination references and implements numerous Presidential actions reflecting the President's top foreign policy priorities, including Executive Order 14165. As noted above, Executive Order 14165 specifically directs the Secretary of Homeland Security to, consistent with applicable law, take all appropriate action to terminate the CHNV parole programs.

⁸⁴ See, e.g., *Rajah v. Mukasey*, 544 F.3d 427, 437 (2d Cir. 2008).

⁸⁵ See 87 FR at 63516.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ See 88 FR at 1277 (Cuba), 88 FR at 1253–54 (Haiti), 88 FR at 1265 (Nicaragua).

For example, DHS would intend that the termination of the CHNV parole programs be implemented immediately, even if the termination of ATAs or existing grants of parole were to be enjoined in whole or in part. This approach ensures that DHS is able to implement its policy choices, and the President's direction in Executive Order 14165, to the maximum extent possible.

IX. Paperwork Reduction Act (PRA)

This rule does not promulgate new or revise existing "collection[s] of information" as that term is defined under the Paperwork Reduction Act of 1995, Public Law 104–13, 109 Stat. 163, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025–05128 Filed 3–21–25; 4:15 pm]

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DEPARTMENT OF HOMELAND SECURITY

Finding of Mass Influx of Aliens

On January 23, 2025, the Acting Secretary of Homeland Security issued a Finding of Mass Influx of Aliens. This finding went into effect immediately (on January 23, 2025) and remained in effect for 60 days (until March 23, 2025). The Acting Secretary's finding published in the **Federal Register** on January 29, 2025. See 90 FR 8,399. Upon review of the current situation at the border, I am extending that finding.

The Immigration and Nationality Act (INA), at 8 U.S.C. 1103(a), provides an expansive grant of authority, stating that in the event of a mass influx of aliens off the coast of the United States or a land border, the Secretary may authorize a State or local law enforcement officer, with the consent of the officer's superiors, to perform duties of immigration officers under the INA. In turn, section 65.83 of Title 28 of the Code of Federal Regulations allows the Secretary¹ to "request assistance from a

¹ Although the regulations reference the "Attorney General," Congress has, since the publication of these regulations, transferred the authority and responsibility for administering and enforcing the immigration laws to the Secretary of Homeland Security. See Homeland Security Act of 2002 471, 6 U.S.C. 291 (abolishing the former Immigration and Naturalization Service); id. S 441, 6 U.S.C. 251 (transferring immigration enforcement functions from the Department of Justice to the Department of Homeland Security); Immigration and Nationality Act 103(a)(1), 8 U.S.C. 1103(a)(1) ("the Secretary of Homeland Security shall be charged with the administration and enforcement of this chapter and all other laws relating to the immigration and naturalization of aliens.")

State or local government in the administration of the immigration laws of the United States" under certain specified circumstances. Among those circumstances are when "[t]he [Secretary] determines that there exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the residents of a State or locality." 28 CFR 65.83(b).

In making such a determination, the Secretary may also determine that there is an "immigration emergency." The regulations define an immigration emergency as "an actual or imminent mass influx of aliens which either is of such magnitude or exhibits such other characteristics that effective administration of the immigration laws of the United States is beyond the existing capabilities of [the Department of Homeland Security (DHS)] in the affected area or areas." 28 CFR 65.83(d)(1) (using identical language as 8 U.S.C. 1103(a)(10)).

Such a determination is based on "the factors set forth in the definitions contained in" 28 CFR 65.81. Characteristics of an influx of aliens, other than magnitude, which may be considered in determining whether an immigration emergency exists include: the likelihood of continued growth in the magnitude of the influx; an apparent connection between the influx and increases in criminal activity; the actual or imminent imposition of unusual and overwhelming demands on law enforcement agencies; and other similar characteristics.

Upon review of the current data, I have determined that there continues to exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the residents of all 50 States and that an actual or imminent mass influx of aliens is arriving at the southern border of the United States and presents urgent circumstances requiring a continued federal response. I make this finding for the reasons discussed below.

First, over the last four years, our southern border has been overrun. As noted in Proclamation 10,888, *Guaranteeing the States Protection Against Invasion*, "[o]ver the last 4 years, at least 8 million illegal aliens were encountered along the southern border of the United States, and countless millions more evaded detection and illegally entered the United States.")

Second, as of March 12, 2025, DHS estimates that there are likely approximately 20,000 aliens across the

Southwest border waiting to illegally enter. While encounters along the southwest border declined in February 2025, historical trends over the past four years strongly indicate that without this finding, aliens are likely to resume crossing the border, and border crossing numbers are likely to rise again before DHS can gain operational control. It is precisely measures, such as this one, that have kept the numbers under control.

Third, as stated in the January 23, 2025 notice, when border crossing numbers are high, much detention capacity is required of U.S. Immigration and Customs Enforcement (ICE). Mandatory detention of aliens apprehended at the border serves important public safety and national security purposes. Aliens who have not completed this process have not been effectively vetted for criminality or national security threats. Current databases do not allow for comprehensive and rapid searching for foreign convictions or other public safety and national security risks. As a result, the fact that the numbers at the border are effectively forcing DHS to engage in catch-and-release practices is eliminating or thwarting legally mandated screenings and it is threatening public safety and national security. This does not account for so-called gotaways, of which there have been millions over the last four years, who are not screened in any manner. Without controls in place at the border to stem the influx, DHS loses its capacity to hold all aliens as required by the INA. 8 U.S.C. 1225(b). As of March 13, 2025, ICE has a detention population of 47,372, with a maximum capacity of 54,500. ICE's facilities are currently at nearly at 87% occupancy, and ICE's priority for detention space is removing aliens with criminal records, public safety risks, and national security risks. Should this finding not be extended, ICE would be hampered in this critical effort.

Fourth, an influx of aliens presents significant concerns with respect to increased criminal activity. Between FY 2017 and 2019, ICE removed 485,930 aliens with criminal convictions or pending criminal charges. However, between FY 2021 and FY 2023, ICE removed 158,931 aliens with criminal convictions or pending criminal charges. Assuming that the crime rate of foreign nationals has remained unchanged over the year, this 67% decrease (in removals) suggests that tens of thousands of criminal aliens remain in the United States. Where there is an increase in criminal aliens, there is

likely to be an increase in criminal activity.

Furthermore, there is still significant criminality present at the Southwest border even though encounter numbers are lower than previously. In February 2025, U.S. Customs and Border Protection's (CBP's) Office of Field Operations (OFO) and U.S. Border Patrol (USBP) encountered 393 criminal aliens. OFO made 645 criminal arrests, and USBP had 12 gang apprehensions. USBP referred 169 smuggling events for prosecution, and OFO referred 110 events for criminal prosecution. Officers and agents seized 14,534.99 pounds of illicit narcotics, including 589.81 pounds of deadly fentanyl. Officers and agents also seized 104 firearms and 13,822 rounds of ammunition, as well as \$1,535,228.67 in currency. These numbers are only likely to increase if encounter numbers increase.

Fifth, when border crossing numbers are high, unusual and overwhelming demands are imposed on law enforcement officers and agencies. There is significant danger presented to officers and agents. For example, in February 2025, CBP records indicate that 30 CBP officers/agents were assaulted. In February 2025, ICE records indicated that aliens assaulted or used force against 10 ICE Enforcement and Removal Operations officers. Even while encounter numbers were lower than average in February 2025, officers and agents at the border have consistent threats against them, and there are too many assaults and use of force incidents on officers and agents.

Additionally, there is a strain on ICE resources, which takes ICE away from its mission to preserve national security and public safety. ICE has many aliens pending removal that entered during prior influxes at the Southwest border. Managing those removals requires a significant expenditure of ICE resources. As of November 24, 2024, there were 1,445,549 aliens on ICE's non-detained docket with final orders of removal. This number will only increase should this finding not be extended.

Since January 20, 2025, ICE has arrested 32,809 aliens and removed 29,033 aliens. The 32,809 arrests include 14,111 that were convicted criminals and 9,980 with pending criminal charges. 1,155 of these aliens were criminal gang members while another 39 were known or suspected terrorists. ICE currently has allocated 7,282 ERO Officers but approximately 1,295 positions, or nearly 18%, are currently vacant. The ability of ICE to properly enforce immigration laws and focus on public safety risks will be greatly hampered should this finding

not be extended and the previous influx of aliens resumes unabated.

On the basis of the above facts, I find that these circumstances endanger the lives, property, safety, and welfare of the residents of every State in the Union. The only way to effectively prevent this danger to the States is to maintain operational control of the border, which Congress defined to mean "the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband." Secure Fence Act of 2006, Public Law 109-367, 2, 120 Stat. 2638 (2006); 8 U.S.C. 1701 note; see also *id.* (stating that the Secretary of DHS "shall take all actions the Secretary determines necessary and appropriate to achieve and maintain operational control over the entire international land and maritime borders of the United States"). I also find that there is currently an influx of aliens arriving across our entire southern border, which requires a federal response.

Accordingly, pursuant to the authorities under the INA, 8 U.S.C. 1101, *et seq.*, including the implementing regulations identified above, I find "that there exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the residents" of all 50 States. I further find that an actual or imminent mass influx of aliens is arriving at the southern border of the United States and presents urgent circumstances requiring an immediate federal response. I therefore request the assistance of State and local governments in all 50 States.

The finding is effective immediately and expires in 180 days. This finding may expire sooner in the event I find that circumstances have changed. Such a finding would be published in the **Federal Register**.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025-05120 Filed 3-21-25; 4:15 pm]

BILLING CODE 9112-FF-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[256A2100DD/AAKC001030/
A0A501010.000000]

HEARTH Act Approval of Mohegan Tribe of Indians of Connecticut, Residential Leasing Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Assistant Secretary—Indian Affairs approved the residential leasing ordinance adopted by the Mohegan Tribe of Indians of Connecticut under the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2012 (HEARTH Act). With this approval, the Tribe is authorized to enter into residential leases without further Secretary of the Interior approval.

DATES: This approval was made on March 18, 2025.

FOR FURTHER INFORMATION CONTACT: Ms. Carla Clark, Bureau of Indian Affairs, Division of Real Estate Services, 1001 Indian School Road NW, Albuquerque, NM 87104, carla.clark@bia.gov, (702) 484-3233.

SUPPLEMENTARY INFORMATION:

I. Summary of the HEARTH Act

The HEARTH Act makes a voluntary, alternative land leasing process available to Tribes, by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. 415. The HEARTH Act authorizes Tribes to negotiate and enter into business leases of Tribal trust lands with a primary term of 25 years, and up to two renewal terms of 25 years each, without the approval of the Secretary of the Interior (Secretary). The HEARTH Act also authorizes Tribes to enter into leases for residential, recreational, religious, or educational purposes for a primary term of up to 75 years without the approval of the Secretary.

Participating Tribes develop Tribal leasing regulations, including an environmental review process, and then must obtain the Secretary's approval of those regulations prior to entering into leases. The HEARTH Act requires the Secretary to approve Tribal regulations if those regulations are consistent with the Department of the Interior's (Department) leasing regulations at 25 CFR part 162 and provide for an environmental review process that meets requirements set forth in the HEARTH Act. This notice announces that the Secretary, through the Assistant Secretary—Indian Affairs, has approved the Tribal regulations for the Mohegan Tribe of Indians of Connecticut.

II. Federal Preemption of State and Local Taxes

The Department's regulations governing the surface leasing of trust and restricted Indian lands specify that, subject to applicable Federal law, permanent improvements on leased land, leasehold or possessory interests, and activities under the lease are not subject to State and local taxation and

may be subject to taxation by the Indian Tribe with jurisdiction. *See* 25 CFR 162.017. As explained further in the preamble to the final regulations, the Federal Government has a strong interest in promoting economic development, self-determination, and Tribal sovereignty. 77 FR 72440, 72447–48 (December 5, 2012). The principles supporting the Federal preemption of State law in the field of Indian leasing and the taxation of lease-related interests and activities apply with equal force to leases entered into under Tribal leasing regulations approved by the Federal Government pursuant to the HEARTH Act.

Section 5 of the Indian Reorganization Act, 25 U.S.C. 5108, preempts State and local taxation of permanent improvements on trust land. *Confederated Tribes of the Chehalis Reservation v. Thurston County*, 724 F.3d 1153, 1157 (9th Cir. 2013) (citing *Mescalero Apache Tribe v. Jones*, 411 U.S. 145 (1973)). Similarly, section 5108 preempts State taxation of rent payments by a lessee for leased trust lands because “tax on the payment of rent is indistinguishable from an impermissible tax on the land.” *See Seminole Tribe of Florida v. Stranburg*, 799 F.3d 1324, 1331, n.8 (11th Cir. 2015). In addition, as explained in the preamble to the revised leasing regulations at 25 CFR part 162, Federal courts have applied a balancing test to determine whether State and local taxation of non-Indians on the reservation is preempted. *White Mountain Apache Tribe v. Bracker*, 448 U.S. 136, 143 (1980). The *Bracker* balancing test, which is conducted against a backdrop of “traditional notions of Indian self-government,” requires a particularized examination of the relevant State, Federal, and Tribal interests. We hereby adopt the *Bracker* analysis from the preamble to the surface leasing regulations, 77 FR at 72447–48, as supplemented by the analysis below.

The strong Federal and Tribal interests against State and local taxation of improvements, leaseholds, and activities on land leased under the Department’s leasing regulations apply equally to improvements, leaseholds, and activities on land leased pursuant to Tribal leasing regulations approved under the HEARTH Act. Congress’s overarching intent was to “allow Tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in Tribal communities.” 158 Cong. Rec. H. 2682 (May 15, 2012). The HEARTH Act was

intended to afford Tribes “flexibility to adapt lease terms to suit [their] business and cultural needs” and to “enable [Tribes] to approve leases quickly and efficiently.” H. Rep. 112–427 at 6 (2012).

Assessment of State and local taxes would obstruct these express Federal policies supporting Tribal economic development and self-determination and would threaten substantial Tribal interests in effective Tribal government, economic self-sufficiency, and territorial autonomy. *See Michigan v. Bay Mills Indian Community*, 572 U.S. 782, 810 (2014) (Sotomayor, J., concurring) (determining that “[a] key goal of the Federal Government is to render Tribes more self-sufficient, and better positioned to fund their own sovereign functions, rather than relying on Federal funding”). The additional costs of State and local taxation have a chilling effect on potential lessees, as well as on a Tribe that, as a result, might refrain from exercising its own sovereign right to impose a Tribal tax to support its infrastructure needs. *See id.* at 810–11 (finding that State and local taxes greatly discourage Tribes from raising tax revenue from the same sources because the imposition of double taxation would impede Tribal economic growth).

Similar to BIA’s surface leasing regulations, Tribal regulations under the HEARTH Act pervasively cover all aspects of leasing. *See* 25 U.S.C. 415(h)(3)(B)(i) (requiring Tribal regulations be consistent with BIA surface leasing regulations). Furthermore, the Federal Government remains involved in the Tribal land leasing process by approving the Tribal leasing regulations in the first instance and providing technical assistance, upon request by a Tribe, for the development of an environmental review process. The Secretary also retains authority to take any necessary actions to remedy violations of a lease or of the Tribal regulations, including terminating the lease or rescinding approval of the Tribal regulations and reassuming lease approval responsibilities. Moreover, the Secretary continues to review, approve, and monitor individual Indian land leases and other types of leases not covered under the Tribal regulations according to 25 CFR part 162.

Accordingly, the Federal and Tribal interests weigh heavily in favor of preemption of State and local taxes on lease-related activities and interests, regardless of whether the lease is governed by Tribal leasing regulations or 25 CFR part 162. Improvements, activities, and leasehold or possessory

interests may be subject to taxation by the Mohegan Tribe of Indians of Connecticut.

Bryan Mercier,

Director, Bureau of Indian Affairs, Exercising the delegated authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–04962 Filed 3–24–25; 8:45 am]

BILLING CODE 4337–15–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1351 (Remand)]

Certain Active Matrix Organic Light-Emitting Diode Display Panels and Modules for Mobile Devices, and Components Thereof; Notice of the Commission’s Final Determination Finding No Violation of Section 337; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to find no violation of section 337 of the Tariff Act of 1930, as amended, in this investigation. The investigation is terminated in its entirety.

FOR FURTHER INFORMATION CONTACT:

Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket system (“EDIS”) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 3, 2023, based on a complaint filed by Samsung Display Co., Ltd. (“SDC” or “Complainant”) of the Republic of Korea. 88 FR 7,463–64 (Feb. 3, 2023). The complaint, as supplemented, alleged violations of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain active matrix organic light-emitting diode display panels and modules for mobile devices,

and components thereof by reason of infringement of claims 1–5 and 19–21 of U.S. Patent No. 9,818,803 (“the ‘803 patent”); claims 1, 2, 4–10, and 13 of U.S. Patent No. 10,854,683 (“the ‘683 patent”); claims 1–18 of U.S. Patent No. 7,414,599 (“the ‘599 patent”); and claims 1–3, 6–8, and 14–22 of U.S. Patent No. 9,330,593 (“the ‘593 patent”). *Id.* The complaint further alleged that a domestic industry exists. *Id.* The notice of investigation named the following parties as respondents: Injured Gadgets, LLC (“Injured Gadgets”) of Norcross, Georgia; Wholesale Gadget Parts, Inc. (“Wholesale Gadget Parts”) of Bixby, Oklahoma; Phone LCD Parts LLC and Parts4LCD (collectively, “Phone LCD Parts”) of Wayne, New Jersey; Apt-Ability LLC d/b/a MobileSentry of Chantilly, Virginia; Mobile Defenders, LLC of Caledonia, Michigan; Group Vertical, LLC (“Group Vertical”) of Grand Rapids, Michigan; Electronics Universe, Inc. d/b/a Fixez.com and Electronics Universe, Inc. d/b/a Repairs Universe, Inc. (“Electronics Universe”) of Las Vegas, Nevada; LCTech International Inc. d/b/a SEGMobile.com (“LCTech”) of City of Industry, California; Sourcelly Plus, LLC (“Sourcelly Plus”) of Tempe, Arizona; eTech Parts Plus LLC (“eTech Parts Plus”) of Southlake, Texas; Parts4Cells Inc. (“Parts4Cells”) of Houston, Texas; Captain Mobile Parts, Inc. (“Captain Mobile Parts”) of Dallas, Texas; DFW Imports LLC d/b/a DFW Cellphone and Parts (“DFW Imports”) of Dallas, Texas; Mengtor Inc. (“Mengtor”) of El Monte, California; and Gadgetfix Corp. (“Gadgetfix”) of Irvine, California. *Id.* The notice of investigation also named the Office of Unfair Import Investigations (“OUII”) as a party. *Id.*

On March 22, 2023, the Commission granted Mianyang BOE Optoelectronics Technology Co., Ltd.’s (“BOE”) unopposed motion to intervene as a respondent in this investigation. Order No. 7 (Mar. 15, 2023), *unreviewed by* Comm’n Notice (Mar. 22, 2023).

Two respondents, Apt-Ability LLC d/b/a MobileSentry and Mobile Defenders, LLC, were terminated based on a consent order. Order No. 43 (Dec. 20, 2023), *unreviewed by* Comm’n Notice (Apr. 18, 2024). Ten respondents, Captain Mobile Parts, Group Vertical, Sourcelly Plus, Mengtor, Electronics Universe, LCTech, Parts4Cells, DFW Imports, Gadgetfix, and eTech Parts Plus were found in default. Order No. 16 (May 10, 2023), *unreviewed by* Comm’n Notice (June 7, 2023); Order No. 22 (Jun. 27, 2023), *unreviewed by* Comm’n Notice (July 20, 2023); Order No. 25 (Jul. 19, 2023), *unreviewed by* Comm’n Notice (Aug. 18, 2023); Order No. 27

(Aug. 8, 2023), *unreviewed by* Comm’n Notice (Aug. 30, 2023). Accordingly, respondents Injured Gadgets, Wholesale Gadget Parts, and Phone LCD Parts (collectively, “the BLF Respondents”) and BOE remain active in the investigation.

On April 20, 2023, the Commission granted SDC’s motion for leave to amend the complaint and notice of investigation to add allegations of infringement related to claims 1–6, 10, 12, 17, 19, 21–23, 40–47, and 51–52 of the ‘578 patent. Order No. 8 (Mar. 28, 2023), *unreviewed by* Comm’n Notice (Apr. 20, 2023). When the final ID issued, only claims 5 and 21 of the ‘803 patent, claims 5, 10, 17, 40–41, and 47 of the ‘578 patent, claims 2–3, 13, and 15–16 of the ‘599 patent, and claim 6 of the ‘593 patent remain asserted in the investigation as a result of termination of all asserted claims of the ‘683 patent and certain other asserted claims. *See* Order No. 34 (Oct. 26, 2023), *unreviewed by* Comm’n Notice (Nov. 27, 2024), Order No. 39 (Dec. 7, 2023), *unreviewed by* Comm’n Notice (Jan. 8, 2024), Order No. 51 (Jun. 14, 2024), *unreviewed by* Comm’n Notice (Jul. 3, 2024), Order No. 65 (Aug. 27, 2024), *unreviewed by* Comm’n Notice (Sept. 26, 2024).

On November 15, 2023, the BLF Respondents and BOE (collectively, “Respondents”) moved for summary determination that SDC lacked standing to bring and maintain this investigation. Respondents argued because SDC’s parent company, Samsung Electronics Co., Ltd. (“SEC”), “has an unfettered right to grant licenses, SDC lacks the exclusionary rights necessary to prove standing.” Mot. at 18. Finding that “there is no genuine issue of material fact that SEC has an unrestricted right to sublicense the Asserted Patents to others” and that SEC’s possession of such a right divested SDC of exclusionary rights, on January 9, 2024, the ALJ granted Respondents’ motion for summary determination of no violation due to lack of standing. Order No. 44 at 13, 24–25 (Jan. 9, 2024).

On April 24, 2024, the Commission vacated that initial determination and remanded the investigation for further proceedings consistent with its opinion. In its opinion, the Commission found that “(1) constitutional standing, the Article III requirements of the Constitution related to the authority of federal courts to adjudicate lawsuits, is not required at [the] Commission; and (2) there are genuine issues of material facts relating to [Complainant’s] rights in the asserted patents.” Comm’n Op. at 2. The Commission remanded the investigation to the ALJ to “conduct

further proceedings as appropriate and consistent with the Commission’s opinion herewith.” *Id.*

On May 2, 2024, the ALJ held a case management conference to discuss how the case would proceed on remand. Respondent BOE indicated that it wished to argue that SDC lacked “all substantial rights” to the asserted patents when it filed its complaint and that it wished to pursue discovery from SEC on this issue. Order No. 50 at 3 (June 11, 2024). SDC responded that a statutory cause of action defense had never previously been raised and thus was waived. *Id.* at 5. OUII noted that “Respondents’ argument that [SDC] may not have owned the asserted patents when it filed the complaint because it did not hold all substantial rights is fundamentally different from the argument advanced in Respondents’ motion for summary determination.” *Id.* The ALJ then ordered “additional briefing” on “the effect of the Commission opinion on th[e] Investigation.” Order No. 47, EDIS Doc. ID 820416, at 1 (May 3, 2024). Following a teleconference and briefing on remand, the ALJ found that Respondents waived their argument that SDC lacked “all substantial rights” to the Asserted Patents and thus failed to satisfy the requirement of Commission Rule 210.12(a)(7) because Respondents did not address this issue in their prehearing brief, as required by the ALJ’s Ground Rules. ID at 4 (citing Order No. 50 at 4).

The evidentiary hearing was held on July 8–9, 2024, and July 15–17, 2024.

On November 15, 2024, the ALJ issued a final ID, finding no violation of section 337 because SDC failed to show the existence of a domestic industry, among other reasons. In particular, the ID found: (1) SDC met its burden under Rule 210.12(a)(7); (2) SDC failed to satisfy the economic prong of the domestic industry requirement for all asserted patents; (3) SDC satisfied the technical prong of the domestic industry requirement for the ‘803, the ‘578, and the ‘599 patents but not for the ‘593 patent; (4) at least one representative accused product infringes claims 5 and 21 of the ‘803 patent, claims 5, 10, 17, 40–41, and 47 of the ‘578 patent, claims 15–16 of the ‘599 patent, and claim 6 of the ‘593 patent but not claims 2–3 and 13 of the ‘599 patent; and (5) the claims have not been shown to be invalid.

On November 29, 2024, SDC filed a petition for review of the ID challenging certain findings related to the ‘803, the ‘578, and the ‘599 patents, including the economic prong of the domestic industry requirement. SDC did not petition for review of the ID’s findings

related to the '593 patent. That same day, Respondent BOE and the BLF Respondents filed a joint contingent petition for review. OUII did not file a petition for review. On December 9, 2024, Complainant, Respondents, and OUII each filed a response to the petitions.

The Commission solicited submissions from the public on the public interest issues raised by the recommended determination. 89 FR 92721 (Nov. 22, 2024). The Commission received comments from Representative John Moolenaar, Chairman of the House Select Committee on China, and Dr. Robert D. Atkinson of the Information Technology & Innovation Foundation.

On January 8, 2025, SDC filed a notice of supplemental authority to apprise the Commission of the Patent Trial and Appeal Board's final written decisions in *inter partes* review proceedings on the '578 patent and the '803 patent. In the final written decisions, the Board found claim 21 of the '803 patent unpatentable and all other asserted claims of the '578 and '803 patents at issue in this investigation had not been proven unpatentable. See *Mianyang BOE Optoelectronics Tech. Co., Ltd. v. Samsung Display Co., Ltd.*, IPR2023-00987, Final Written Decision (Jan. 6, 2025); *Mianyang BOE Optoelectronics Tech. Co., Ltd. v. Samsung Display Co., Ltd.*, IPR2023-01075, Final Written Decision (Jan. 6, 2025).

On January 16, 2025, the Commission determined to review the ID in part. Specifically, the Commission determined to review: (1) the ID's findings that the Commission has statutory authority to investigate Complainant SDC's alleged violation under section 337 and that Respondents waived their argument that SDC lacked the ability to bring this investigation under Commission Rule 210.12; (2) the ID's findings related to the technical prong for the '803 patent; and (3) the ID's findings regarding the economic prong of the domestic industry requirement. 90 FR 8,034-036 (Jan. 23, 2024). The Commission determined not to review any other findings presented in the final ID, including the ID's finding of no violation of section 337 with respect to the '593 patent. The Commission requested briefing from the parties on certain issues under review and on remedy, the public interest, and bonding. The parties filed their opening written submissions on January 30, 2025, and their responsive written submissions on February 6, 2025.

On review, the Commission has found no violation of section 337 with respect to claims 5 and 21 of the '803 patent; claims 5, 10, 17, 40-41, and 47 of the

'578 patent; and claims 2-3, 13, and 15-16 of the '599 patent. Specifically, the Commission has determined to affirm the ALJ's finding that the Commission has statutory authority to investigate Complainant's alleged violation under section 337. The Commission has also determined to affirm the ID's finding that representative display panels in the asserted domestic industry products practice claim 21 of the '803 patent. The Commission has further determined to affirm with modified reasoning the ID's finding that Complainant failed to demonstrate the existence of a domestic industry under sections 337(a)(3)(A) and (B). Based on this dispositive finding, the Commission has determined to take no position on whether the asserted domestic industry products also practice claim 5 of the '803 patent and whether Respondents forfeited their argument that Complainant is not the owner of the Asserted Patents under Commission Rule 210.12(a)(7).

Accordingly, the investigation is terminated with a finding of no violation. The Commission's reasoning in support of its determinations is set forth more fully in its opinion issued concurrently herewith.

The Commission vote for this determination took place on March 19, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 19, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-04982 Filed 3-24-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-747 (Fifth Review)]

Fresh Tomatoes From Mexico; Scheduling of a Full Five-Year Review

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of a full review pursuant to the Tariff Act of 1930 ("the Act") to determine whether termination of the suspended investigation on fresh tomatoes from Mexico would be likely to lead to continuation or recurrence of

material injury within a reasonably foreseeable time. The Commission has determined to exercise its authority to extend the review period by up to 90 days.

DATES: March 18, 2025.

FOR FURTHER INFORMATION CONTACT:

Jesse Sanchez (202-205-2402), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On November 4, 2024, the Commission determined that responses to its notice of institution of the subject five-year review were such that a full review should proceed (89 FR 96681, December 5, 2024); accordingly, a full review is being scheduled pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)). A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's website.

Participation in the review and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in this review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the review need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207,

subparts A, D, E, and F (19 CFR part 207).

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this review available to authorized applicants under the APO issued in the review, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the review. A party granted access to BPI following publication of the Commission's notice of institution of the review need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the review will be placed in the nonpublic record on July 29, 2025, and a public version will be issued thereafter, pursuant to section 207.64 of the Commission's rules.

Hearing.—The Commission will hold an in-person hearing in connection with the review beginning at 9:30 a.m. on August 14, 2025. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before 5:15 p.m. on August 8, 2025. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the review, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID-19 test result may be submitted by 3 p.m. the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at <https://www.usitc.gov/calendarpad/calendar.html>.

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral

presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on August 12, 2025. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on August 13, 2025. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party to the review may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is 5:15 p.m. on August 7, 2025. Parties shall also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is 5:15 p.m. on August 26, 2025. In addition, any person who has not entered an appearance as a party to the review may submit a written statement of information pertinent to the subject of the review on or before 5:15 p.m. on August 26, 2025. On September 24, 2025, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before 5:15 p.m. on September 26, 2025, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's "Handbook on Filing Procedures", available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

The Commission has determined that this review is extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 20, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-04998 Filed 3-24-25; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

[OMB Number 1117-0012]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Application for Registration—DEA Form 225, Application for Registration Renewal—DEA Form 225a, Affidavit for Chain Renewal—DEA Form 225b

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Drug Enforcement Administration (DEA), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until May 27, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather E. Achbach, Regulatory Drafting and Policy Support Section, Drug

Enforcement Administration; Mailing Address: 8701 Morrisette Drive, Springfield, Virginia 22152; Telephone: (571) 362-3261; Email: Heather.E.Achbach@dea.gov or DEA.PRA@dea.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- 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.

Abstract: The Controlled Substances Act requires all businesses and individuals who manufacture, distribute, import, export, and conduct research and laboratory analysis with controlled substances to register with DEA. 21 U.S.C. 822, 21 CFR 1301.11 and 1301.13. Registration is a necessary control measure and helps to prevent diversion by ensuring the closed system of distribution of controlled substances can be monitored by DEA and the businesses and individuals handling controlled substances are qualified to do so and are accountable.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.
2. *The Title of the Form/Collection:* Application for Registration—DEA Form 225, Application for Registration Renewal—DEA Form 225a, Affidavit for Chain Removal—DEA Form 225b.
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

The form numbers are DEA Forms 225, 225a, and 225b. The applicable component within the Department of Justice is the Drug Enforcement Administration, Diversion Control Division.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:*
Affected Public (Primary): Business or other for-profit.
Affected Public (Other): Not-for-Profit institutions, Federal, State, local, and tribal governments.
5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The DEA estimates that 16,560 registrants participate in this information collection. The time per response is 25 minutes to complete the DEA Form 225 (new), 10 minutes to complete DEA Form 225a (renewal), and 1 hour to complete DEA Form 225b (chain renewal).
6. An estimate of the total annual burden (in hours) associated with the collection: DEA estimates that this collection takes 3,323 annual burden hours.
7. An estimate of the total annual cost burden associated with the collection, if applicable: \$0.

TOTAL BURDEN HOURS

Activity	Number of respondents	Total annual responses	Time per response (hours)	Total annual burden (hours)
DEA Form 225	2,006	2,006	0.42 Hours (25 mins)	843
DEA Form 225a	14,547	14,547	0.17 Hours (10 mins)	2,473
DEA Form 225b	7	7	1 Hour	7
Unduplicated Totals	16,560	16,560	0.20066 Hour	3,323

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W-218, Washington, DC.

Dated: March 20, 2025.

Darwin Arceo,
Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025-05034 Filed 3-24-25; 8:45 am]

BILLING CODE 4410-09-P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, March 21, 2025.

PLACE: Board Room, 7th Floor, Room 7B, 1775 Duke Street, Alexandria, VA 22314-3428.

STATUS: Closed.

NCUA Board unanimously determined that agency business required holding a closed meeting with less than seven days’ notice to the public, and that no earlier notice of the meeting was possible.

MATTER TO BE CONSIDERED: 1. Personnel. Closed pursuant to Exemption (2).

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703-518-6304.

Melane Conyers-Ausbrooks,
Secretary of the Board.

[FR Doc. 2025-05087 Filed 3-21-25; 11:15 am]

BILLING CODE 7535-01-P

NATIONAL TRANSPORTATION SAFETY BOARD

Sunshine Act Meetings

TIME AND DATE: 9:30 a.m. EST, April 15, 2025

PLACE: NTSB Conference Center, 429 L’Enfant Plaza SW, Washington, DC 20594.

STATUS: The one item is open to the public.

MATTERS TO BE CONSIDERED:

74011 Marine Investigation Report—
*Fire aboard Roll-on/Roll-off
Container Vessel Grande Costa*
D'Avorio, Newark, NJ, July 5, 2023

CONTACT PERSON FOR MORE INFORMATION:

Candi Bing at (202) 590-8384 or by
email at bing@ntsb.gov.

Media Information Contact: Jennifer
Gabris by email at Jennifer.Gabris@ntsb.gov
or at (202) 314-6100.

The public may view it through a live
or archived webcast by accessing a link
under “Upcoming Events” on the NTSB
home page at www.nts.gov.

Schedule updates, including weather-
related cancellations, are also available
at www.nts.gov.

The National Transportation Safety
Board is holding this meeting under the
Government in the Sunshine Act, 5
U.S.C. 552(b).

Dated: Friday, March 21, 2025.

LaSean R. McCray,

Alternate Federal Register Liaison Officer.

[FR Doc. 2025-05135 Filed 3-21-25; 4:15 pm]

BILLING CODE 7533-01-P

**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 70-7004; NRC-2025-0059]

**American Centrifuge Operating, LLC,
dba ACO; American Centrifuge Plant;
License Amendment Application**

AGENCY: Nuclear Regulatory
Commission.

ACTION: Opportunity to request a hearing
and to petition for leave to intervene;
order imposing procedures.

SUMMARY: The U.S. Nuclear Regulatory
Commission (NRC) staff accepted and
docketed an application for the
amendment of Special Nuclear
Materials (SNM) License No. SNM-
2011, submitted by American Centrifuge
Operating, LLC, dba ACO dated
December 19, 2024. The license
amendment request (LAR) would
authorize the applicant to modify its
NRC license SNM-2011 for the
American Centrifuge Plant, located in
Piketon, Ohio to account for continued
operations (Phase III) for a period of up
to 9 years beyond its current

authorization expiration date of June 30,
2025. Because the amendment request
contains sensitive unclassified non-
safeguards information (SUNSI), an
order imposes procedures to obtain
access to SUNSI for contention
preparation by persons who file a
hearing request or petition for leave to
intervene.

DATES: Requests for a hearing or petition
for leave to intervene must be filed by
May 27, 2025. Any potential party as
defined in section 2.4 of title 10 of the
Code of Federal Regulations (10 CFR)
who believes access to SUNSI is
necessary to respond to this notice must
request document access by April 4,
2025.

ADDRESSES: Please refer to Docket ID
NRC-2025-0059 when contacting the
NRC about the availability of
information regarding this document.
You may obtain publicly available
information related to this document
using any of the following methods:

- **Federal Rulemaking Website:** Go to
<https://www.regulations.gov> and search
for Docket ID NRC-2025-0059. Address
questions about Docket IDs in
[Regulations.gov](http://www.regulations.gov) to Bridget Curran;
telephone: 301-415-1003; email:
Bridget.Curran@nrc.gov. For technical
questions, contact the individual listed
in the **FOR FURTHER INFORMATION**

CONTACT section of this document.

- **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](https://www.nrc.gov/reading-rm/adams.html). To begin the search, select
“Begin Web-based ADAMS Search.” For
problems with ADAMS, please contact
the NRC's Public Document Room (PDR)
reference staff at 1-800-397-4209, at
301-415-4737, or by email to
PDR.Resource@nrc.gov. The license
amendment request is available in
ADAMS under Package Accession No.
ML24366A069. In addition, 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 (ET), Monday through Friday,
except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Yawar Faraz, Office of Nuclear Material
Safety and Safeguards, U.S. Nuclear
Regulatory Commission, Washington,
DC 20555-0001; telephone: 301-415-
7220; email: Yawar.Faraz@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Discussion**

The NRC has received, by letter, an
application from American Centrifuge
Operating, LLC, dba ACO, to amend
SNM-2011 for the American Centrifuge
Plant (ACP), located in Piketon, Ohio.
This LAR proposes to account for
continuing high-assay low-enriched
uranium (HALEU) production
operations for the 16-operating
centrifuge cascade at the ACP for three
3-year optional periods (9 years in total,
Phase III) beyond the NRC's current
authorization expiration date of June 30,
2025. The nominal rate of production
for the 16-operating HALEU cascade is
900 kg HALEU UF₆.

As documented in an administrative
completeness review, dated February
10, 2025, the NRC found the
application, acceptable for a technical
review. Prior to reaching a decision on
the request to amend Materials License
SNM-2011, the NRC will need to
conduct a review and make a
determination in accordance with the
Atomic Energy Act of 1954, as amended,
and the NRC's regulations. During the
technical review, the NRC will review
the application, as supplemented, in
areas that include, but are not limited
to, security, environmental protection
and financial aspects associated with
the contract between ACO and the
Department of Energy for Phase III. The
NRC's findings will be documented in a
safety evaluation report.

II. Availability of Documents

The documents identified in the
following table are available to
interested persons through ADAMS.

Document description	ADAMS Accession No.
Cover letter for American Centrifuge Operating, LLC's License Application for the American Centrifuge Plant—Phase III of HALEU Operations, dated December 19, 2024.	ML24366A040.
<i>Enclosure 1:</i> Detailed Description, Justification, and Significance Determination, dated December 18, 2024	ML24366A038.
<i>Enclosure 2:</i> Proposed Changes for LA-3605-0001, License Application for the American Centrifuge Plant, dated December 18, 2024.	ML24366A045.
<i>Enclosure 3:</i> Proposed Changes for LA-3605-002, Environmental Report for the American Centrifuge Plant, dated December 18, 2024.	ML24366A043.

Document description	ADAMS Accession No.
<i>Enclosure 4:</i> Proposed Changes for Appendix D of LA-3605-0001, License Application for the American Centrifuge Plant, dated December 18, 2024.	ML24366A047 (non-public, withheld pursuant to 10 CFR 2.390).
<i>Enclosure 5:</i> Withheld Proposed Changes for NRC's Materials License for the American Centrifuge Plant—SNM-2011, dated December 18, 2024.	ML24366A044 (non-public, withheld pursuant to 10 CFR 2.390).
<i>Enclosure 6:</i> Withheld Proposed Changes to LA-3605-0003, Integrated Safety Analysis Summary for the American Centrifuge Plant.	ML24366A039 (non-public, export-controlled information).
<i>Enclosure 7:</i> Withheld Proposed Changes to NR-3605-0005, Fundamental Nuclear Material Control Plan for the American Centrifuge Plant.	ML24366A046 (non-public, export-controlled information).
<i>Enclosure 8:</i> Withheld Proposed Changes to SP-3605-0041, Security Plan for the Protection of Classified Matter at the American Centrifuge Plant in Piketon, Ohio.	ML24366A042 (non-public, export-controlled information).
<i>Enclosure 9:</i> Withheld Proposed Changes to SP-3605-0042, Security Plan for the Physical Protection of Special Nuclear Material at the American Centrifuge Plant in Piketon, Ohio.	Safeguards Information (non-public, withheld pursuant to 10 CFR 73.22; not entered in ADAMS).
<i>Enclosure 10:</i> Affidavit of Larry B. Cutlip Supporting Application to Withhold from Public Disclosure Certain Information Provided to NRC in Letter ACO 24-0108, dated December 18, 2024.	ML24366A041.
NRC's Acceptance for Detailed Review of ACO's License Amendment Request for Phase III HALEU Operations at the ACP in Piketon OH, dated February 10, 2025.	ML25042A390.

III. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

A State, local governmental body, federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, federally recognized Indian Tribe, or designated agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber>

=ML20340A053) and on the NRC public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

IV. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the Guidance for Electronic Submissions to the NRC (ADAMS Accession No. ML13031A056) and on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic

docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC

Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation

A. This Order contains instructions regarding how potential parties to this proceeding may request access to documents containing Sensitive Unclassified Non-Safeguards Information (SUNSI).

B. Within 10 days after publication of this notice of hearing or opportunity for hearing, any potential party who believes access to SUNSI is necessary to respond to this notice may request access to SUNSI. A "potential party" is

any person who intends to participate as a party by demonstrating standing and filing an admissible contention under 10 CFR 2.309. Requests for access to SUNSI submitted later than 10 days after publication of this notice will not be considered absent a showing of good cause for the late filing, addressing why the request could not have been filed earlier.

C. The requestor shall submit a letter requesting permission to access SUNSI to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and provide a copy to the Deputy General Counsel for Licensing, Hearings, and Enforcement, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. The expedited delivery or courier mail address for both offices is: U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852. The email addresses for the Office of the Secretary and the Office of the General Counsel are Hearing.Docket@nrc.gov and RidsOgcMailCenter.Resource@nrc.gov, respectively.¹ The request must include the following information:

- (1) A description of the licensing action with a citation to this **Federal Register** notice;
- (2) The name and address of the potential party and a description of the potential party's particularized interest that could be harmed by the action identified in C.(1); and
- (3) The identity of the individual or entity requesting access to SUNSI and the requestor's basis for the need for the information in order to meaningfully participate in this adjudicatory proceeding. In particular, the request must explain why publicly available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.

D. Based on an evaluation of the information submitted under paragraph C.(3), the NRC staff will determine within 10 days of receipt of the request whether:

- (1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in this NRC proceeding; and
- (2) The requestor has established a legitimate need for access to SUNSI.

¹ While a request for hearing or petition to intervene in this proceeding must comply with the filing requirements of the NRC's "E-Filing Rule," the initial request to access SUNSI under these procedures should be submitted as described in this paragraph.

E. If the NRC staff determines that the requestor satisfies both D.(1) and D.(2), the NRC staff will notify the requestor in writing that access to SUNSI has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents, and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit, or Protective Order² setting forth terms and conditions to prevent the unauthorized or inadvertent disclosure of SUNSI by each individual who will be granted access to SUNSI.

F. Filing of Contentions. Any contentions in these proceedings that are based upon the information received as a result of the request made for SUNSI must be filed by the requestor no later than 25 days after receipt of (or access to) that information. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.

G. Review of Denials of Access.

(1) If the request for access to SUNSI is denied by the NRC staff after a determination on standing and requisite need, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

(2) The requestor may challenge the NRC staff's adverse determination by filing a challenge within 5 days of receipt of that determination with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

(3) Further appeals of decisions under this paragraph must be made pursuant to 10 CFR 2.311.

H. Review of Grants of Access. A party other than the requestor may challenge an NRC staff determination granting access to SUNSI whose release would harm that party's interest

² Any motion for Protective Order or draft Non-Disclosure Affidavit or Agreement for SUNSI must be filed with the presiding officer or the Chief Administrative Judge if the presiding officer has not yet been designated, within 30 days of the deadline for the receipt of the written access request.

independent of the proceeding. Such a challenge must be filed within five days of the notification by the NRC staff of its grant of access and must be filed with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.³

I. The Commission expects that the NRC staff and presiding officers (and any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective

orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have standing and who have propounded contentions meeting the specificity and basis requirements in 10 CFR part 2. The attachment to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

It is so ordered.

Dated: March 19, 2025.

For the Nuclear Regulatory Commission.

Carrie Safford,
Secretary of the Commission.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING

Day	Event/activity
0	Publication of Federal Register notice of hearing or opportunity for hearing, including order with instructions for access requests.
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) with information: (i) supporting the standing of a potential party identified by name and address; and (ii) describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention containing: (i) demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for petitioner/requestor to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Agreement or Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement or Affidavit for SUNSI.
A	If access granted: issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Agreements or Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or notice of opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2025-04984 Filed 3-24-25; 8:45 am]

BILLING CODE 7590-01-P

³ Requestors should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007, as amended at 77 FR

46562; August 3, 2012, 78 FR 34247, June 7, 2013) apply to appeals of NRC staff determinations (because they must be served on a presiding officer

or the Commission, as applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0040]

Application for Amendments to Facility Operating Licenses Involving Proposed No Significant Hazards Consideration Determination and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information**AGENCY:** Nuclear Regulatory Commission.**ACTION:** License amendment request; notice of opportunity to comment, request a hearing, and petition for leave to intervene; order imposing procedures.**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC, the Commission) is considering approval of one amendment request. The amendment request is for Grand Gulf Nuclear Station, Unit 1. For the amendment request, the NRC proposes to determine that it involves no significant hazards consideration (NSHC). Because the amendment request contains sensitive unclassified non-safeguards information (SUNSI), an order imposes procedures to obtain access to SUNSI for contention preparation by persons who file a hearing request or petitions for leave to intervene.**DATES:** Comments must be received by April 24, 2025. A request for a hearing or petitions for leave to intervene must be filed by May 27, 2025. Any potential party as defined in section 2.4 of title 10 of the *Code of Federal Regulations* (10 CFR) who believes access is necessary to respond to this notice must request document access by April 4, 2025.**ADDRESSES:** You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0040. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Karen Zeleznock, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1118; email: Karen.Zeleznock@nrc.gov.**SUPPLEMENTARY INFORMATION:****I. Obtaining Information and Submitting Comments***A. Obtaining Information*

Please refer to Docket ID NRC–2025–0040, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0040.
- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC’s PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC–2025–0040, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly

disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Pursuant to section 189a(1)–(2) of the Atomic Energy Act of 1954, as amended (the Act), the NRC is publishing this notice. The Act requires the Commission to publish notice of any amendments issued or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves NSHC, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This notice includes a notice of an amendment containing SUNSI.

III. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment request involves NSHC. Under the Commission’s regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for the amendment request is shown as follows.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be

considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. If the Commission takes action on the amendment prior to the expiration of either the comment period or the notice period, it will publish a notice of issuance in the **Federal Register**. If the Commission makes a final no significant hazards consideration determination for the amendment, any hearing on this amendment will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which

will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and on the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the "Guidance for Electronic Submissions to the NRC" (ADAMS Accession No. ML13031A056) and on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of

the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC’s

electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click “cancel” when the link requests certificates and you will be automatically directed to the NRC’s electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the

adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensee’s proposed NSHC determination. For further details with respect to this license amendment application, see the application for amendment, publicly available portions of which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the “Obtaining Information and Submitting Comments” section of this document.

Entergy Operations, Inc., System Energy Resources, Inc., Cooperative Energy, A Mississippi Electric Cooperative, and Entergy Mississippi, LLC; Grand Gulf Nuclear Station, Unit 1; Claiborne County, MS

Docket No	50–416.
Application Date	November 25, 2024.
ADAMS Accession No	ML24330A234.
Location in Application of NSHC	Pages 21–24 of Enclosure 1.
Brief Description of Amendment	The proposed amendment would revise the technical specifications (TSs) for Grand Gulf Nuclear Station, Unit 1. Specifically, the proposed amendment would allow crediting of NETCO–SNAP–IN® neutron absorbing rack inserts in the criticality safety analysis (CSA) for the storage rack cells in the station’s spent fuel storage facility. The proposed amendment would revise the TSs regarding criticality design features of the spent fuel storage racks as contained in TS 4.3, “Fuel Storage,” Subpart 4.3.1, “Criticality,” to specifically identify the neutron absorbing inserts, remove requirements for Region II storage racks, and to update the value of k-infinity used in the CSA, consistent with Standard Technical Specifications (STS). Lastly, the proposed amendment would add a new program requirement in TS 5.5, “Programs and Manuals,” that implements a monitoring program for the neutron absorbing rack inserts, consistent with STS improvement initiatives.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Susan Raimo, Associate General Counsel—Nuclear, 101 Constitution Avenue NW, Washington, DC 20001.
NRC Project Manager, Telephone Number	Michael Mahoney, 301–415–3867.

Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation

Entergy Operations, Inc., System Energy Resources, Inc., Cooperative Energy, A Mississippi Electric Cooperative, and Entergy Mississippi, LLC; Grand Gulf Nuclear Station, Unit 1; Claiborne County, MS

A. This Order contains instructions regarding how potential parties to this proceeding may request access to documents containing Sensitive Unclassified Non-Safeguards Information (SUNSI).

B. Within 10 days after publication of this notice of hearing or opportunity for hearing, any potential party who believes access to SUNSI is necessary to respond to this notice may request access to SUNSI. A “potential party” is

any person who intends to participate as a party by demonstrating standing and filing an admissible contention under 10 CFR 2.309. Requests for access to SUNSI submitted later than 10 days after publication of this notice will not be considered absent a showing of good cause for the late filing, addressing why the request could not have been filed earlier.

C. The requestor shall submit a letter requesting permission to access SUNSI to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and provide a copy to the Deputy General Counsel for Licensing, Hearings, and Enforcement, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. The expedited delivery or courier mail address for both offices

is: U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852. The email addresses for the Office of the Secretary and the Office of the General Counsel are Hearing.Docket@nrc.gov and RidsOgcMailCenter.Resource@nrc.gov, respectively.¹ The request must include the following information:

- (1) A description of the licensing action with a citation to this **Federal Register** notice;
- (2) The name and address of the potential party and a description of the potential party’s particularized interest that could be harmed by the action identified in C.(1); and

¹ While a request for hearing or petition to intervene in this proceeding must comply with the filing requirements of the NRC’s “E-Filing Rule,” the initial request to access SUNSI under these procedures should be submitted as described in this paragraph.

(3) The identity of the individual or entity requesting access to SUNSI and the requestor's basis for the need for the information in order to meaningfully participate in this adjudicatory proceeding. In particular, the request must explain why publicly available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.

D. Based on an evaluation of the information submitted under paragraph C, the NRC staff will determine within 10 days of receipt of the request whether:

(1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in this NRC proceeding; and

(2) The requestor has established a legitimate need for access to SUNSI.

E. If the NRC staff determines that the requestor satisfies both D.(1) and D.(2), the NRC staff will notify the requestor in writing that access to SUNSI has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents, and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit, or Protective Order² setting forth terms and conditions to prevent the unauthorized or inadvertent disclosure of SUNSI by each individual who will be granted access to SUNSI.

F. Filing of Contentions. Any contentions in these proceedings that are based upon the information received as a result of the request made for SUNSI must be filed by the requestor no

later than 25 days after receipt of (or access to) that information. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.

G. Review of Denials of Access.

(1) If the request for access to SUNSI is denied by the NRC staff after a determination on standing and requisite need, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

(2) The requestor may challenge the NRC staff's adverse determination by filing a challenge within five days of receipt of that determination with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

(3) Further appeals of decisions under this paragraph must be made pursuant to 10 CFR 2.311.

H. Review of Grants of Access. A party other than the requestor may challenge an NRC staff determination granting access to SUNSI whose release would harm that party's interest independent of the proceeding. Such a challenge must be filed within 5 days of the notification by the NRC staff of its

grant of access and must be filed with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.³

I. The Commission expects that the NRC staff and presiding officers (and any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have standing and who have propounded contentions meeting the specificity and basis requirements in 10 CFR part 2. The attachment to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

It is so ordered.

Dated: February 27, 2025.

For the Nuclear Regulatory Commission.

Carrie Safford,

Secretary of the Commission.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING

Day	Event/activity
0	Publication of Federal Register notice of hearing or opportunity for hearing, including order with instructions for access requests.
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) with information: (i) supporting the standing of a potential party identified by name and address; and (ii) describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention containing: (i) demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).

² Any motion for Protective Order or draft Non-Disclosure Affidavit or Agreement for SUNSI must be filed with the presiding officer or the Chief Administrative Judge if the presiding officer has not yet been designated, within 30 days of the deadline for the receipt of the written access request.

³ Requestors should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012, 78 FR 34247, June 7, 2013) apply to appeals of NRC staff determinations (because they must be served on a presiding officer

or the Commission, as applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING—Continued

Day	Event/activity
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for petitioner/requestor to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Agreement or Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement or Affidavit for SUNSI.
A	If access granted: issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Agreements or Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or notice of opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2025-03481 Filed 3-24-25; 8:45 am]

BILLING CODE 7590-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025-1241 and K2025-1240]

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 27, 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:

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- I. Introduction
- II. Public Proceeding(s)
- III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<https://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.¹

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s)

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).

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).*: MC2025-1241 and K2025-1240; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1348 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance*

Date: March 19, 2025; Filing Authority: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; Public Representative: Christopher Mohr; Comments Due: March 27, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the Federal Register.

Jennie L. Jbara,

Primary Certifying Official.

[FR Doc. 2025-04993 Filed 3-24-25; 8:45 am]

BILLING CODE 7710-FW-P

RAILROAD RETIREMENT BOARD

Actuarial Advisory Committee With Respect to the Railroad Retirement Account; Notice of Public Meeting

Notice is hereby given in accordance with Public Law 92-463 that the Actuarial Advisory Committee will hold a virtual meeting on April 22, 2025, at 10:00 a.m. Central Daylight Time (11:00 a.m. Eastern Daylight Time) on the conduct of the 2025 Annual Report required by the Railroad Retirement Act of 1974 and the Railroad Retirement Solvency Act of 1983. The agenda for this meeting will include a discussion of the assumptions to be used in the Annual Report. A report containing recommended assumptions and the experience on which the recommendations are based will have been sent by the Chief Actuary to the Committee before the meeting.

The meeting will be open to the public. Persons wishing to submit written statements, make oral presentations, or attend the meeting should address their communications or notices to Patricia Pruitt (Patricia.Pruitt@rrb.gov) so that information on how to join the virtual meeting can be provided.

Dated: March 20, 2025.

Sarah Kreydich,

Administrative Specialist.

[FR Doc. 2025-05005 Filed 3-24-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102697; File No. SR-CboeBYX-2025-005]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule Regarding Dedicated Cores

March 19, 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 13, 2025, Cboe BYX Exchange, Inc. (the “Exchange” or “BYX”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

Cboe BYX Exchange, Inc. (the “Exchange” or “BYX Equities”) proposes to amend its fee schedule to adopt fees for Dedicated Cores. 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.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 its fee schedule to adopt fees for Dedicated Cores.³

By way of background, the Exchange recently began to allow Users⁴ to assign a Single Binary Order Entry (“BOE”) logical order entry port⁵ to a single dedicated Central Processing Unit (CPU Core) (“Dedicated Core”). Historically, CPU Cores had been shared by logical order entry ports (*i.e.*, multiple logical ports from multiple firms may connect to a single CPU Core). Use of Dedicated Cores however, can provide reduced latency, enhanced throughput, and improved performance since a firm using a Dedicated Core is utilizing the full processing power of a CPU Core instead of sharing that power with other firms. This offering is completely voluntary and is available to all Users that wish to purchase Dedicated Cores. Users may utilize BOE logical order entry ports on shared CPU Cores, either in lieu of, or in addition to, their use of Dedicated Core(s). As such, Users are able to operate across a mix of shared and dedicated CPU Cores which the Exchange believes provides additional risk and capacity management. Further, Dedicated Cores are not required nor necessary to participate on the Exchange

³ The Exchange initially adopted pricing for Dedicated Cores on May 6, 2024 (SR-CboeBYX-2024-014). On July 1, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-024. On August 1, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-028. On business date September 30, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-036. On November 26, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-043 and subsequently withdrew that filing and submitted SR-CboeBYX-2024-044. On November 27, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-045. On December 4, 2024, the Exchange withdrew that filing and submitted SR-CboeBYX-2024-047. On January 24, 2025, the Exchange withdrew that filing and submitted SR-CboeBYX-2025-001. On March 13, 2025, the Exchange withdrew that filing and submitted this filing.

⁴ A User may be either a Member or Sponsored Participant. The term “Member” shall mean any registered broker or dealer that has been admitted to membership in the Exchange, 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. A Sponsored Participant may be a Member or non-Member of the Exchange whose direct electronic access to the Exchange is authorized by a Sponsoring Member subject to certain conditions. See Exchange Rule 11.3.

⁵ Users may currently connect to the Exchange using a logical port available through an application programming interface (“API”), such as the Binary Order Entry (“BOE”) protocol. A BOE logical order entry port is used for order entry.

and as such Users may opt not to use Dedicated Cores at all.

The Exchange proposes to assess the following monthly fees for Users that wish to use Dedicated Cores and adopt a maximum limit. First, the Exchange proposes to provide up to two Dedicated Cores to all Users who wish to use Dedicated Cores, at no additional cost. For the use of more than two Dedicated Cores, the Exchange proposes to assess the following fees: \$650 per Dedicated Core for 3–10 Dedicated Cores; \$850 per Dedicated Core for 11–15 Dedicated Cores; and \$1,050 per Dedicated Core for 16 or more Dedicated Cores. The proposed fees are progressive and the Exchange proposes to include the following example in the Fees Schedule to provide clarity as to how the fees will be applied. Particularly, the Exchange will provide the following example: if a User were to purchase 11 Dedicated Cores, it will be charged a total of \$6,050 per month ($\$0 * 2 + \$650 * 8 + \$850 * 1$). The Exchange also proposes to make clear in the Fees Schedule that the monthly fees are assessed and applied in their entirety and are not prorated. The Exchange notes the current standard fees assessed for BOE Logical Ports, whether used with Dedicated or shared CPU cores, will remain applicable and unchanged.⁶

Since the Exchange currently has a finite amount of physical space in its data centers in which its servers (and therefore corresponding CPU Cores) are located, the Exchange also proposes to prescribe a maximum limit on the number of Dedicated Cores that Users may purchase each month. The purpose of establishing these limits is to manage the allotment of Dedicated Cores in a fair manner and to prevent the Exchange from being required to expend large amounts of limited resources in order to provide an unlimited number of Dedicated Cores. The Exchange previously established a limit for Members of a maximum number of 60 Dedicated Cores and Sponsoring Members a limit of a maximum number of 25 Dedicated Cores for each of their Sponsored Access relationships.⁷ The Exchange has since been able to procure additional servers with CPU Cores and also has a better understanding of User demand relative to its available space since the initial launch of Dedicated Cores. After seeing increased User

⁶ The Exchange currently assesses \$550 per port per month. Port fees will also continue to be assessed on the first two Dedicated Cores that Users receive at no additional cost. See Cboe BYX Equities Fee Schedule.

⁷ See Securities Exchange Act Release No. 100476 (July 9, 2024), 89 FR 57482 (July 15, 2024) (SR-CboeBYX-2024-024).

demand, the Exchange proposed to increase that cap and provided that Members will be limited to a maximum number of 80 Dedicated Cores and Sponsoring Members will be limited to a maximum number of 35 Dedicated Cores for each of their Sponsored Access relationships.⁸ The Exchange noted at that time that it would continue monitoring Dedicated Core interest by all Users and allotment availability with the goal of increasing these limits to meet Users' needs if and when the demand is there and/or the Exchange is able to accommodate additional Dedicated Cores. Since then, the Exchange has determined that it is able to accommodate an increased cap relative to current demand. As such, the Exchange proposed to increase the cap to 120 Dedicated Cores for Members, effective December 1, 2024.⁹ Sponsoring Members will continue to be limited to a maximum of 35 Dedicated Cores for each of their Sponsored Access relationships.¹⁰

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.¹¹ Specifically, the Exchange believes the proposed rule change is consistent with the Section

⁸ See Securities Exchange Act Release No. 101303 (October 10, 2024), 89 FR 83740 (October 17, 2024) (SR-CboeBYX-2024-036).

⁹ The prescribed maximum quantity of Dedicated Cores for Members applies regardless of whether that Member purchases the Dedicated Cores directly from the Exchange and/or through a Service Bureau. In a Service Bureau relationship, a customer allows its MPID to be used on the ports of a technology provider, or Service Bureau. One MPID may be allowed on several different Service Bureaus.

¹⁰ The fee tier(s) applicable to Sponsoring Members are determined on a per Sponsored Access relationship basis and not on the combined total of Dedicated Cores across Sponsored Users. For example, under the proposed changes, a Sponsoring Member that has three Sponsored Access relationships is entitled to a total of 105 Dedicated Cores for those 3 Sponsored Access relationships but would be assessed fees separately based on the 35 Dedicated Cores for each Sponsored User (instead of combined total of 105 Dedicated Cores). For example, a Sponsoring Member with 3 Sponsored Access relationships would pay \$30,450 per month if each Sponsored Access relationship purchased the maximum 35 Dedicated Cores. More specifically, the Sponsoring Member would be provided 2 Dedicated Cores at no additional cost for each Sponsored User under Tier 1 (total of 6 Dedicated Cores at no additional cost) and provided an additional 8 Dedicated Cores at \$650 each for each Sponsored User, 5 Dedicated Cores at \$850 each for each Sponsored User and 20 Dedicated Cores at \$1,050 each for each Sponsored User (combined total of 99 additional Dedicated Cores).

¹¹ 15 U.S.C. 78f(b).

6(b)(5)¹² requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹³ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4)¹⁴ of the Act, which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

The Exchange believes the proposal is reasonable because the Exchange is offering any User who wishes to utilize Dedicated Cores up to two Dedicated Cores at no additional cost. For example, of the Users that currently maintain Dedicated Cores, 38% maintain only 1 or 2 Dedicated Cores and therefore pay no additional fees. The Exchange believes the proposed fees are reasonable because Dedicated Cores provide a valuable service in that it can provide reduced latency, enhanced throughput, and improved performance compared to use of a shared CPU Core since a firm using a Dedicated Core is utilizing the full processing power of a CPU Core. The Exchange also emphasizes however, that the use of Dedicated Cores is not necessary for trading and as noted above, is entirely optional. Users can also continue to access the Exchange through shared CPU Cores at no additional cost. Indeed, only 32% of the Exchange's Members currently use Dedicated Cores and as noted above, of those who do, only 38% take only 1 or 2 Dedicated Cores at no additional cost. Depending on a firm's specific business needs, the proposal enables Users to choose to use Dedicated Cores in lieu of, or in addition to, shared CPU Cores (or as emphasized, not use Dedicated Cores at all). If a User finds little benefit in having Dedicated Cores based on its business model and trading strategies,

¹² 15 U.S.C. 78f(b)(5).

¹³ *Id.*

¹⁴ 15 U.S.C. 78f(b)(4).

or determines Dedicated Cores are not cost-efficient for its needs or does not provide sufficient value to the firm, such User may continue its use of the shared CPU Cores, unchanged. The Exchange is not aware of any specific reason (operational or otherwise) why a firm would not partake in the use of the one to two free Dedicated Cores the Exchange offers. Indeed the Exchange does not believe that the set up a firm would undertake to use free Dedicated Cores offered by the Exchange is prohibitively difficult or burdensome; ultimately, whether or not a firm avails itself of the free Dedicated Cores is a business decision, and some firms may decide that the impact that Dedicated Cores may have is simply not beneficial or necessary to how that firm operates. The Exchange also has no plans to eliminate shared CPU Cores nor to require Users to purchase Dedicated Cores.

The Exchange has seen general interest in Dedicated Cores from a variety of market participants, with varying size and business models. Such market participants include proprietary trading firms (who tend to be more latency sensitive), as well as sell-side market participants and buy-side market participants (who tend to be less latency sensitive). For background, proprietary trading firms utilize their own capital to trade without taking outside money from clients. Due to the nature of their respective businesses, the Exchange has classified proprietary trading firms as latency sensitive, and other groups, such as buy-side hedge funds, sell-side banks and sell-side non-banks (such as agency brokers) as non-latency sensitive. Proprietary trading firms' strategies may range from, market making, to relative value trading and arbitrage—these all rely on profiting from general market activity and, generally, requires faster entry and exit into trades and positions making proprietary trading firms more latency sensitive than other market segments. Buy-side hedge funds, banks and agency brokers are not as latency sensitive as generally the strategy for hedge funds is based on overall long-term positioning in the market, and banks and agency brokers may profit from commissions of customer order flow; both are generally strategies that are not reliant on speed to the same extent proprietary trading firms are. Further, Members have various reasons for obtaining Dedicated Cores. Some Members for example, may be seeking to further reduce latency or increase execution determinism, whereas others may use Dedicated Cores as a general risk mitigation by siloing

their respective activity. For example, by using the Dedicated Core(s) to silo its respective activity, a firm may be able to mitigate risk during periods of heightened volatility as the firm will not need to compete for a shared resource (*i.e.*, the shared core). Of further note, only 59% of Members that are proprietary trading firms (who again, generally tend to be more latency sensitive) utilize Dedicated Cores, and of that 59%, 23% are only utilizing the 1 to 2 free Dedicated Cores available to all Users. As mentioned above, some non-latency sensitive firms have chosen to also adopt Dedicated Cores. 19% of Members that are not latency sensitive utilize Dedicated Cores, and of that 19%, 38% are only utilizing the 1 to 2 free Dedicated Cores available to all Users.

The lack of universal, or even widespread, adoption by all such users therefore demonstrates that purchasing Dedicated Cores is not effectively a requirement to compete for any one type of market participant, including latency sensitive market participants. Instead, Dedicated Cores are an optional and voluntary connectivity offering, which market participants are free to choose whether or not to utilize based on whether they meet their unique business needs. Moreover, the Exchange has received overwhelming positive feedback and support for Dedicated Cores from the firms that have chosen to utilize these in furtherance of their respective needs, with some Members even noting that they have moved more of their order flow to the Exchange and its affiliated equities exchanges (the "Equities Exchanges") as they have noticed both better fills and greater consistency of order execution at the Equities Exchanges. This demonstrates that despite any incurred costs for Members that choose to purchase Dedicated Cores, it is ultimately a net win for them as they benefit from better execution. The Exchange believes it also demonstrates that Members find the proposed fees to be both reasonable and have benefited from purchasing or, are alternatively benefiting from the proposed one or two free Dedicated Cores available at no additional cost. The Exchange believes this is shown by both the level of demand for Dedicated Cores and the feedback from market participants that have used the Dedicated Cores for its unique business needs, including as described above. The Exchange also believes it's notable that no negative comment letters in connection with the proposed pricing have been received since the Exchange first filed proposed fees for Dedicated Cores back on May 6, 2024.

Additionally, as noted earlier, Members can (and many have) decide that utilizing even a free Dedicated Core is not needed for their business. The Exchange also notes it has not received any feedback for Members that raise concerns over the barrier to entry to use Dedicated Cores, including notably the free Dedicated Cores—nor is the Exchange aware of any reason why a firm would ultimately choose not to use the free Dedicated Cores, other than it is not necessary for its business. Ultimately, this is a business decision that each Member must make and is best suited to determine and will ultimately depend on the priorities and strategies of that Member's respective business needs.

The Exchange also notes that at least one other exchange also has a comparable offering.¹⁵ The Nasdaq Stock Market, LLC ("Nasdaq"), introduced the Dedicated Ouch Port Infrastructure in 2014¹⁶ which allows a member firm to assign up to 30 of its OUCH ports to a dedicated server infrastructure for its exclusive use.¹⁷ A Dedicated OUCH Port Infrastructure subscription is available to a member firm for a fee of \$5,000 per month, which is in addition to the standard fees assessed for each OUCH port. A one-time installation fee of \$5,000 is assessed subscribers for each Dedicated OUCH Port Server subscription.¹⁸ While there are differences in the offerings themselves—the Exchange offering is more akin to a service offering while the Nasdaq offering is more akin to an infrastructure offering (and as such, the pricing structure does differ)—both offerings offer the ability for a firm to utilize a full processing power of a CPU Core. Moreover, the Exchange's service offering also provides more flexibility, as firms with modest needs at Nasdaq have to buy all 30 ports offered and can't choose to buy less ports (*i.e.*, cores). Lastly, the Exchange emphasizes that order processing itself is not affected by the introduction of Dedicated Cores. No relevant changes are intended to the matching engine, which is, and remains, the main component of the Exchange's infrastructure being responsible for the actual processing of orders.

The Exchange also believes that the proposed Dedicated Core fees are equitable and not unfairly

¹⁵ See The Nasdaq Stock Market, Equity 7 Pricing Schedule, Section 115(g)(3), Dedicated Ouch Port Infrastructure.

¹⁶ See Securities Exchange Act Release No. 70693 (October 16, 2013), 78 FR 62761 (October 22, 2013) (SR-NASDAQ-2013-131).

¹⁷ See supra note 15.

¹⁸ *Id.*

discriminatory because they continue to be assessed uniformly to similarly situated users in that all Users who choose to purchase Dedicated Cores will be subject to the same proposed tiered fee schedule. Moreover, all Users are entitled to up to 2 Dedicated Cores at no additional cost and as previously discussed, 38% of all Users that take Dedicated Cores (including both latency sensitive and non-latency sensitive Users) take only 1 or 2 Dedicated Cores at no additional cost. The Exchange believes the proposed ascending fee structure is also reasonable, equitable and not unfairly discriminatory as it is designed so that firms that use a higher allotment of the Exchange's finite number of Dedicated Cores pay higher rates, rather than placing that burden on market participants that have more modest needs who will have the flexibility of obtaining Dedicated Cores at lower price points in the lower tiers. As such, the proposed fees do not favor certain categories of market participants in a manner that would impose a burden on competition; rather, the ascending fee structure reflects the (finite) resources consumed by the various needs of market participants—that is, the lowest Dedicated Core consuming Users pay the least, and highest Dedicated Core consuming Users pay the most. The Exchange believes that such pricing further creates a lower barrier to entry for all Members, making this service widely available to all who deem it helpful for their business, including those with more modest needs. Other exchanges similarly assess higher fees to those that consume more Exchange resources.¹⁹ Moreover, those consuming more Dedicated Cores do so if they find a benefit in having higher quantities of Dedicated Cores based on their respective business needs. The proposed tier structure is also designed to encourage firms to manage their needs in a fair manner and to prevent the Exchange from being required to expend large amounts of limited resources in order to provide an additional number of Dedicated Cores or put the Exchange in a position that it cannot accommodate demand. Moreover, as discussed above and in more detail below, the Exchange cannot currently offer an unlimited number of Dedicated Cores due in part to physical space constraints in the third-party data center. The Exchange believes the proposed ascending fee structure is therefore another appropriate means, in

conjunction with an established cap, to manage this finite resource and ensure the resource is apportioned more fairly.

The Exchange believes it is reasonable to limit the number of Dedicated Cores Users can purchase because the Exchange has a finite amount of space in its third-party data centers to accommodate CPU cores, including Dedicated Cores. The Exchange must also take into account timing and cost considerations in procuring additional Dedicated Cores and related hardware such as servers, switches, optics and cables, as well as the readiness of the Exchange's data center space to accommodate additional Dedicated Cores in the Exchange's respective Order Handler Cabinets.²⁰ Moreover, procuring data center space has grown to be more challenging than it was five years ago with the increased demand for data center space. For example, the U.S. colocation data center market has doubled in size in just four years. In addition to the Exchange's rollout of Dedicated Cores, the Exchange is mindful of its other business areas and the need to continue to be mindful of its existing, external restraints in procuring additional space in this area. The Exchange has, and will continue to, monitor market participant demand and space availability and endeavor to adjust the limit if and when the Exchange is able to acquire additional space and power within the third-party data centers and/or additional CPU Cores to accommodate additional Dedicated Cores.²¹ The Exchange monitors its capacity and data center space and thus is in the best place to determine these limits and modify them as appropriate in response to changes to this capacity and space, as well as market demand. Indeed, the Exchange has already increased the prescribed maximum since the launch of Dedicated Cores on May 6, 2024 as a result of evaluating the demand relative to Dedicated Cores availability and proposes to increase the prescribed maximum again due to the Exchange's continued ability to support current demand relative to current availability.²² As another example, the Exchange's affiliate Cboe EDGA Exchange, Inc. has increased the prescribed maximum limit three times since the launch of Dedicated Cores on

its exchange on February 26, 2024 as a result of evaluating the demand relative to Dedicated Cores availability.²³ The proposed increased limits continue to apply uniformly to similarly situated market participants (*i.e.*, all Members are subject to the same limit and all Sponsored Participants are subject to the same limit, respectively). The Exchange believes it's not unfairly discriminatory to provide for different limits for different types of Users. For example, the Exchange believes it's not unfairly discriminatory to provide for an initial lower limit to be allocated for Sponsored Participants because unlike Members, Sponsored Participants are able to access the Exchange without paying a Membership Fee. Members also have more regulatory obligations and risk that Sponsored Participants do not. For example, while Sponsored Participants must agree to comply with the Rules of the Exchange, it is the Sponsoring Member of that Sponsored Participant that remains ultimately responsible for all orders entered on or through the Exchange by that Sponsored Participant. The industry also has a history of applying fees differently to Members as compared to Sponsored Participants.²⁴ Lastly, the Exchange believes its proposed maximum limits, and distinction between Members and Sponsored Users, is another appropriate means to help the Exchange manage its allotment of Dedicated Cores and better ensure this finite resource is apportioned fairly.

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 intramarket competition that is not necessary in furtherance of the purposes of the Act because the proposed tiered fee structure will apply equally to all similarly situated Users that choose to use Dedicated Cores. As discussed above, Dedicated Cores are optional and Users may choose to utilize Dedicated Cores, or not, based on their views of the additional benefits and added value provided by utilizing a Dedicated Core. The Exchange believes the proposed fee will be

¹⁹ See Securities Exchange Act Release No. 99983 (April 17, 2024), 89 FR 30418 (April 23, 2024) (SR-CboeEDGA-2024-014) Securities Exchange Act Release No. 100300 (June 10, 2024), 89 FR 50653 (June 14, 2024) (SR-CboeEDGA-2024-020); and Securities Exchange Act Release No. 100736 (August 21, 2024), 89 FR 67696 (August 15, 2024) (SR-CboeEDGA-2024-032).

²⁰ See *e.g.*, Securities Exchange Act Release No. 68342 (December 3, 2012), 77 FR 73096 (December 7, 2012) (SR-CBOE-2012-114) and Securities Exchange Act Release No. 66082 (January 3, 2012), 77 FR 1101 (January 9, 2012) (SR-C2-2011-041).

²¹ The Exchange notes that it cannot currently convert shared CPU cores into Dedicated Cores.

²² The Exchange does not have any Users that take Dedicated Cores at or near the maximum limits and the average number of Dedicated Cores used for the Exchange is 12.

²³ See Securities Exchange Act Release No. 100476 (July 9, 2024), 89 FR 57482 (July 15, 2024) (SR-CboeBYX-2024-024).

¹⁹ See *e.g.*, Cboe U.S. Options Fees Schedule, BZX Options, Options Logical Port Fees, Ports with Bulk Quoting Capabilities.

assessed proportionately to the potential value or benefit received by Users with a greater number of Dedicated Cores and notes that Users may determine at any time to cease using Dedicated Cores. As discussed, Users can also continue to access the Exchange through shared CPU Cores at no additional cost. Finally, all Users will be entitled to two Dedicated Cores at no additional cost.

Next, the Exchange believes the proposed rule change does not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As previously discussed, the Exchange operates in a highly competitive market, including competition for exchange memberships. Market Participants have numerous alternative venues that they may participate on, including 15 other equities exchanges, as well as off-exchange venues, where competitive products are available for trading. Indeed, participants can readily choose to submit their order flow to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. Further, as described above, Nasdaq also already provides a similar offering.²⁵

Moreover, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”²⁶ The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition v. Securities and Exchange Commission*, the D.C. Circuit stated as follows: “[n]o one disputes that competition for order flow is ‘fierce.’ . . . As the SEC explained, ‘[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution’; [and] ‘no exchange can afford to take its market share percentages for granted’ because ‘no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker

dealers’”²⁷ Accordingly, the Exchange does not believe its proposed change imposes any burden on competition that is 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

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act²⁸ and paragraph (f) of Rule 19b-4²⁹ thereunder. 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.

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-2025-005 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-2025-005. 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-2025-005 and should be submitted on or before April 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁰

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-04974 Filed 3-24-25; 8:45 am]

BILLING CODE 8011-01-P

²⁵ See The Nasdaq Stock Market, Equity 7 Pricing Schedule, Section 115(g)(3), Dedicated Ouch Port Infrastructure.

²⁶ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

²⁷ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782-83 (December 9, 2008) (SR-NYSEArca-2006-21)).

²⁸ 15 U.S.C. 78s(b)(3)(A).

²⁹ 17 CFR 240.19b-4(f).

³⁰ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102698; File No. SR–NASDAQ–2025–028]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To (i) Introduce a New Fee Credit Under Equity 7, Section 118(a)(1) (Fees for Execution and Routing of Orders) and Amend the Fee Schedule; (ii) Introduce New Fees and Credits Under Equity 7, Section 118(b), (iii) Amend Equity 7, Section 118(e) (Opening Cross) and Introduce a New Fee Credit; and (iv) Eliminate the Excess Order Fee Credits at Equity 7, Section 118(m) and Remove Related Language in Equity 7, Section 114(d)(1)

March 19, 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 13, 2025, The Nasdaq Stock Market LLC (“Nasdaq” or “Exchange”) filed with the Securities and Exchange Commission (“SEC” or “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 (i) introduce a new fee credit under Equity 7, Section 118(a)(1) (Fees for Execution and Routing of Orders) and amend the fee schedule; (ii) introduce new fees and credits under Equity 7, Section 118(b), (iii) amend Equity 7, Section 118(e) (Opening Cross) and introduce a new fee credit; and (iv) eliminate the Excess Order Fee credits at Equity 7, Section 118(m) and remove related language in Equity 7, Section 114(d)(1).

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings>, 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 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 purpose of the proposed rule change is to: (i) introduce a new fee credit under Equity 7, Section 118(a)(1) (Fees for Execution and Routing of Orders) and amend charges to members that execute orders in the Nasdaq Market Center; (ii) introduce new fees and credits under Equity 7, Section 118(b), (iii) amend Equity 7, Section 118(e) (Opening Cross) and introduce a new fee credit; and (iv) eliminate the Excess Order Fee credits at Equity 7, Section 118(m) and remove related language in Section 114(d)(1).

Introduction of New Fee Credit Under Section 118(a)(1)

The Exchange proposes to amend its schedule of credits, at Equity 7, Section 118(a)(1). Specifically, the Exchange proposes to introduce a new credit applicable to Tapes A, B, and C for displayed quotes (other than Supplemental Orders or Designated Retail Orders) that provide liquidity. Under the proposed rule change, members will be eligible for the new credit of \$0.0030 if they meet the following criteria in securities priced at or greater than \$1: (1) the member adds at least 1% of the Consolidated Volume, with at least 0.30% of such volume being Tape B securities; and (2) the member adds at least 0.25% of Consolidated Volume of non-displayed liquidity (other than midpoint orders) and Midpoint Extended Life Orders (“M-ELO”).

This proposed change will apply to Tapes A, B, and C. The purpose of the new credit structure is to incentivize members to increase their liquidity adding activity on the Exchange. By providing an additional incentive for members to contribute displayed liquidity, the Exchange aims to enhance market quality and improve liquidity.

The new proposed credit of \$0.0030 is in addition to other credits the Exchange already offers to member for providing displayed liquidity. The Exchange believes that if this incentive

successfully drives additional liquidity, the resulting increase will enhance overall market quality, benefiting all participants.

Additionally, the Exchange proposes to amend its schedule of fees, at Equity 7, Section 118(a)(1), which incentivizes members to grow the extent to which they participate in the Exchange’s routing strategy for Designated Retail Orders (“RFTY”).

RFTY is an order routing option designed to enhance execution quality and benefit retail investors by providing price improvement opportunities to Designated Retail Orders (“DROs”).³ As set forth in Equity 7, Section 118(a), for securities in each Tape, the Exchange presently charges a \$0.0030 per share executed fee to a member for shares executed above 4 million shares during the month for RFTY orders that remove liquidity from the Nasdaq Market Center or that execute in a venue with a protected quotation under Regulation NMS other than the Nasdaq Market Center. For purposes of calculating the 4 million share threshold described above and assessing the charge set forth herein, the Exchange excludes RFTY orders that execute at taker-maker venues. Currently, the Exchange charges no fee per share executed to a member for shares executed up to 4 million shares or above 4 million shares, provided that the member grows its volume of shares executed in RFTY during regular Market Hours during the month by at least 100 percent relative to March 2022, for RFTY orders that remove liquidity from the Nasdaq Market Center or that execute in a venue with a protected quotation under Regulation NMS.

The Exchange now proposes to amend the RFTY fee structure to adjust the execution volume threshold from 4 million shares per month to 8 million

³ See Securities Exchange Act Release No. 34–75987 (September 25, 2015), 80 FR 59210 (October 1, 2015) (SR–NASDAQ–2015–112). A DRO is an agency or riskless principal order that meets the criteria of FINRA Rule 5320.03 and that originates from a natural person and is submitted to Nasdaq by a member that designates it pursuant to this rule, 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. An order from a “natural person” can include orders on behalf of accounts that are held in a corporate legal form—such as an Individual Retirement Account, Corporation, or a Limited Liability Company—that has been established for the benefit of an individual or group of related family members, provided that the order is submitted by an individual. Members must submit a signed written attestation, in a form prescribed by Nasdaq, that they have implemented policies and procedures that are reasonably designed to ensure that substantially all orders designated by the member as “Designated Retail Orders” comply with these requirements.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

shares per month, reduce the charge for shares executed above 8 million shares per month from \$0.0030 to \$0.0025, and introduce a new requirement that members must add a daily average of at least 3 million shares of Designated Retail Orders during the month to qualify for the \$0.0000 per executed share rate. The current 4 million share threshold for determining execution fees for RFTY Orders will be increased to 8 million shares per month. This change applies to RFTY Orders that remove liquidity from the Nasdaq Market Center or execute in a venue with a protected quotation under Regulation NMS other than the Nasdaq Market Center. For shares executed above 8 million shares per month, the charge will be reduced from \$0.0030 to \$0.0025 per share executed. For shares executed up to 8 million shares per month, or for shares above the 8 million share threshold where the member adds a daily average of at least 3 million shares of Designated Retail Orders during the month, the charge will remain \$0.0000 per executed share. RFTY Orders that execute at taker-maker venues remain excluded from the volume calculation. Members seeking to qualify for the \$0.0000 per executed share rate must now also add a daily average of at least 3 million shares of Designated Retail Orders during the month. Additionally, requirements stating that provided that the member grows its volume of shares executed in RFTY during regular Market Hours during the month by at least 100 percent relative to March 2022 will be removed. The proposed changes are designed to encourage greater participation from retail liquidity providers while maintaining a competitive pricing structure.

Credits and Fees for Orders in Securities Priced Below \$1.00 During the Pre-Market Session

The Exchange proposes to amend Equity 7, Section 118(b) to introduce new credits and fees specifically for orders in securities priced below \$1.00 during the Pre-Market Session.⁴ Under the proposed change, members entering an order that executes in the Nasdaq Market Center during the Pre-Market Session for securities priced below \$1.00 and provides liquidity will receive a credit of 0.05% of the total dollar volume per executed share. Members entering an order that routes and executes at an away market during the Pre-Market Session for securities

priced below \$1 will be charged 0.3% of the total dollar value per executed share. Members entering an order that executes in the Nasdaq Market Center will be charged 0.15% of the total dollar volume per executed share. The proposed changes aim to incentivize market participants to provide liquidity within the Exchange during early trading hours while ensuring fair and transparent execution costs for orders routed externally.

Opening Cross Amendment

The Exchange proposes to amend Equity 7, Section 118(e) (Opening Cross), which provides fees for orders executed in the Exchange's Opening Cross. Currently, Equity 7, Section 118(e)(1) provides that Market-on-Open, Good-till-Cancelled, and Immediate-or-Cancel orders executed in the Exchange's Opening Cross is \$0.0015 per share executed, and all other quotes and orders executed in the Exchange's Opening Cross is \$0.0011 per share executed. Equity 7, Section 118(e)(2) provides firms that execute orders in the Exchange's Opening Cross will be subject to fees for such executions up to a monthly maximum of \$35,000, provided, however that such firms add at least one million shares of liquidity, on average per day, per month. The Exchange proposes to amend Equity, 7 Section 118(e)(2) to provide firms that execute orders in the Exchange's Opening Cross (in securities priced at or above \$1.00) will be capped at \$35,000 per month, if firms add at least one million shares of liquidity, on average per day, per month, and to introduce a new fee credit of 0.25% of the total dollar volume for Opening Cross Orders in shares priced below \$1. Specifically, the Exchange proposes to introduce explicit language stating that the monthly maximum execution fees for the Opening Cross apply only to securities priced at or above \$1. The proposed fee of 0.25% of the total dollar volume for Opening Cross Orders in shares priced below \$1 incentivizes participants by introducing a fair and transparent order fee for participants that execute orders below \$1. The proposed changes ensure fair and transparent pricing for Opening Cross participants while aligning the fee structure with the Exchange's broader market pricing practices.

Elimination of Excess Order Fee

The Exchange proposes to eliminate the Excess Order Fee in its fee schedule at Equity 7, Section 118(m), which exists to deter members from inefficient order entry practices that place excessive burdens on the system of the

Exchange and other members and that may negatively impact the usefulness of market data. Under the Excess Order Fee, the Exchange imposes an Excess Order Fee on members with an "Order Entry Ratio" of more than 100. The Order Ratio is calculated, and the Excess Order Fee is imposed on a monthly basis. All calculations under the rule are based on orders received during regular market hours (generally, 9:30 a.m. to 4:00 p.m.) and excludes orders received at other times, even if they are executed during regular market hours.

For each member, the Order Entry Ratio is the ratio of (i) the member's "Weighted Order Total" to (ii) the greater of one (1) or the number of displayed, non-marketable orders sent to the Exchange by the member that execute in full or in part. The Weighted Order Total is the number of displayed, non-marketable orders sent to NASDAQ through the MPID, as adjusted by a "Weighting Factor." The applicable Weighting Factor is applied to each order based on its price in comparison to the NBBO at the time of order entry:

Order's price versus NBBO at entry	Weighting factor
Less than 0.20% away	0x
0.20% to 0.99% away	1x
1.00% to 1.99% away	2x
2.00% or more away	3x

Thus, in calculating the Weighted Order Total, an order that was more than 2.0% away from the NBBO would be equivalent to three orders that were 0.50% away. Due to the applicable Weighting Factor of 0x, orders entered less than 0.20% away from the NBBO would not be included in the Weighted Order Total but would be included in the "executed" orders component of the Order Entry Ratio if they execute in full or part. Orders sent by market makers in securities in which they are registered, through the market participant identifier ("MPID") applicable to the registration, are excluded from both components of the ratio. In addition, MPIDs with a daily average Weighted Order Total of less than 100,000 during the month or registered in a daily average of 100 or more issues in a given month will not be subject to the Excess Order Fee.

The following example illustrates the calculation of the Order Entry Ratio:

- A member enters 35,000,000 displayed, liquidity-providing orders:
 - The member is registered as a market maker with respect to 20,000,000 of the orders. These orders are excluded from the calculation.

⁴ Nasdaq Rule Equity 1, Section 1(a) (9) defines Pre-Market Sessions to mean the period of time beginning at 4:00 a.m. ET and ending immediately prior to the commencement of Market Hours

○ 10,000,000 orders are entered at the NBBO. The Weighting Factor for these orders is 0x.

○ 5,000,000 orders are entered at a price that is 1.50% away from the NBBO. The Weighting Factor for these orders is 2x.

- Of the 15,000,000 orders included in the calculation, 90,000 are executed.

- The Weighted Order Total is $(10,000,000 \times 0) + (5,000,000 \times 2) = 10,000,000$. The Order Entry Ratio is $10,000,000/90,000 = 111$.

If an MPID has an Order Entry Ratio of more than 100, the amount of the Order Entry Fee will be calculated by determining the MPID's "Excess Weighted Orders." Excess Weighted Orders are calculated by subtracting (i) the Weighted Order Total that would result in the MPID having an Order Entry Ratio of 100 from (ii) the MPID's actual Weighted Order Total. In the example above, the Weighted Order Total that would result in an Order Entry Ratio of 100 is 9,000,000, since $9,000,000/90,000 = 100$. Accordingly, the Excess Weighted Orders would be $10,000,000 - 9,000,000 = 1,000,000$.

The Excess Order Fee charged to the member will then be determined by multiplying the "Applicable Rate" by the number of Excess Weighted Orders. The Applicable Rate is determined based on the MPID's Order Entry Ratio:

Order entry ratio	Applicable rate
101–1,000	\$0.005
More than 1,000	\$0.01

In the example above, the Applicable Rate would be \$0.005, based on the MPID's Order Entry Ratio of 111. Accordingly, the monthly Excess Order Fee would be $1,000,000 \times \$0.005 = \$5,000$.

The Exchange proposes to eliminate the Excess Order Fee Program due to low application and limited impact on market behavior. Additionally, the Exchange is removing language in Equity 7, Section 114(d)(1) (Qualified Market Maker) Program that referenced the Excess Order Fee Program. Currently, Equity 7, Section 114(d) provides that a member may be designated as a Qualified Market Maker if: (1) the member is not assessed any "Excess Order Fee" under Equity 7, Section 118 during the month; and (2) the member quotes at the NBBO at least 25% of the time during regular market hours in an average of at least 1,000 securities per day during the month. For purposes of this section, a member is considered to be quoting at the NBBO if one of its MPIDs has a displayed order

(other than a Designated Retail Order) at either the national best bid or the national best offer or both the national best bid and offer. On a daily basis, Nasdaq will determine the number of securities in which each of a member's MPIDs satisfied the 25% NBBO requirement. Nasdaq will aggregate all of a member's MPIDs to determine the number of securities for purposes of the 25% NBBO requirement. To qualify for Qualified Market Maker designation, the member must meet the requirement for an average of 1,000 securities per day over the course of the month. The Exchange's proposed removal of Equity 7, Section 114(d)(1) is necessary to remove outdated language that no longer serves a practical function in the Exchange's rules.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁵ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,⁶ in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposed changes to its schedule of credits are reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for equity securities transaction services that constrain its pricing determinations in that market. The fact that this market is competitive has long been recognized by the courts. In *NetCoalition v. Securities and Exchange Commission*, the D.C. Circuit stated as follows: "[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'"⁷

The Commission and the courts have repeatedly expressed their preference for competition over regulatory

intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies."⁸

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for equity security transaction services. The Exchange is only one of several equity venues to which market participants may direct their order flow. Competing equity exchanges offer similar tiered pricing structures to that of the Exchange, including schedules of rebates and fees that apply based upon members achieving certain volume thresholds.

Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules. As such, the proposal represents a reasonable attempt by the Exchange to increase its liquidity and market share relative to its competitors.

Introduction of New Fee Credit Under Section 118(a)(1)

The Exchange believes that it is reasonable, equitable, and not unfairly discriminatory to establish a new credit for members that add displayed liquidity under Equity 7, Section 118(a)(1). The additional new credit is reasonable because it will incentivize liquidity adding activity and provide an incentive to members that provide additional displayed liquidity to the Exchange. The Exchange believes that if such incentive is effective, then any ensuring increase in liquidity to the Exchange will improve market quality, to the benefit of all participants. To the extent that the Exchange succeeds in increasing the levels of liquidity and activity on the Exchange, the Exchange will experience improvements in its market quality, which stands to benefit all market participants. The Exchange further believes that the proposed new credit of \$0.0030 for members providing additional liquidity is equitable because it will be applied uniformly to all

⁵ 15 U.S.C. 78f(b).

⁶ 15 U.S.C. 78f(b)(4) and (5).

⁷ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca–2006–21)).

⁸ Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) ("Regulation NMS Adopting Release").

members that meet the specified criteria.

The Exchange's proposed new credit is not intended to advantage any particular member and will be applied uniformly to all members that meet the qualifying criteria. Moreover, the proposal stands to improve the overall market quality of the Exchange, to the benefit of all market participants, by incentivizing members to increase the extent of their liquidity adding activity. Any participant that is dissatisfied with the proposal is free to shift their order flow to competing venues that provide more generous pricing or less stringent qualifying criteria.

Additionally, the Exchange believes that it is reasonable, equitable, and not unfairly discriminatory to make the proposed changes to RFTY Orders at, Equity 7, Section 118(a)(1). The increase in volume threshold from 4 million shares to 8 million shares aligns with the Exchange's objectives of encouraging greater trading activity and reducing the per-share-charge for executions above 8 million shares per month incentivizes high-volume participants and fosters liquidity growth. Introducing a requirement for members to add a daily average of 3 million shares of Designated Retail Orders each month encourages retail liquidity providers' participation while maintaining competitive pricing. The proposed changes apply uniformly to all market participants that meet the specified thresholds and provide members with equal access to the fee benefits, provided they meet the execution and retail order flow requirement. The proposed changes further balance incentives between liquidity providers and retail order flow contributors, ensuring a fair allocation of pricing benefits.

Credits and Fees for Orders Executed in Securities Priced Below \$1.00 During the Pre-Market Session

The Exchange believes that it is reasonable, equitable, and not unfairly discriminatory to introduce new credits and fees for orders in securities priced below \$1.00 during the Pre-Market Session. The introduction of the proposed new credit provides market participants with an incentive to contribute liquidity at the start of the trading day, which will benefit overall market efficiency. The introduction of the 0.15% charge on orders that route and execute at an away market during the Pre-Market Session for securities priced below \$1.00 ensures that members that remove liquidity from the Exchange contribute appropriately to the cost of market operation while

maintaining fair access to external venues. The proposed structure seeks to maintain commitment to a competitive and transparent trading environment while ensuring that participants executing orders in securities priced below \$1.00 receive economic incentives for providing liquidity during early trading hours.

Opening Cross Amendment

The Exchange believes that it is reasonable, equitable, and not unfairly discriminatory to amend the Opening Cross Program to establish that fees under Equity 7, Section 118(e) are only applicable to securities priced at or above \$1, and to introduce a new order fee of 0.25% of total dollar volume for Opening Cross Orders that are executed in securities priced below \$1. The amendment clarifying the Opening Cross monthly maximum fee applies only to securities priced at or above \$1, ensures alignment with other Nasdaq fee structures. The introduction of the new order fee is reasonable because it ensures that all order execution types are appropriately accounted for. Furthermore, the changes are not unfairly discriminatory because all firms executing the specified order types in the Opening cross have fair access to credits and fees if they meet the relevant requirements. The proposed changes enhance the Exchange's competitive standing, promote fair fee allocation, and incentivize liquidity in the Opening Cross process.

Excess Order Fee

The Exchange believes that it is reasonable, equitable, and not unfairly discriminatory to eliminate the Excess Order Fee Program due to low application and limited impact on market behavior. The proposed elimination of the Excess Order Fee Program does not impose any new costs or requirements and removes a fee that no longer serves a meaningful purpose. The Exchange has limited resources to allocate to incentive programs like this one and it must, from time to time, reallocate those resources to maximize their net impact on the Exchange, market quality, and participants. Going forward, the Exchange plans to reallocate the resources it devotes to the Excess Order Fee Program to other incentive programs that it hopes will be more impactful. Additionally, the removal of related language in Equity 7, Section 114(d)(1) eliminates references to the Excess Order Fee Program that is being eliminated. This is necessary to improve and keep clarity amongst the Exchanges rules for market participants.

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 not necessary or appropriate in furtherance of the purposes of the Act. In terms of inter-market competition, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

In this instance, the introduction of new fee credits under Equity 7, Section 118(a)(1) and 118(b) is intended to incentivize liquidity provision and order execution on the Exchange and does not impose a burden on competition. By offering credits to market participants that meet certain criteria, the Exchange is enhancing its appeal as a trading venue and encouraging increased participation in its order execution and routing processes. These changes do not disadvantage any specific group of participants. Instead, it provides equitable incentives that are available to all members that meet the applicable criteria.

The proposed amendments introducing credits and fees for Orders Executed in securities priced Below \$1.00 During the Pre-Market Session do not impose a burden on competition. Instead, the proposal promotes a more efficient and competitive trading environment through the introduction of its credit for orders executed in the Nasdaq Market Center and its charge for orders routed and executed at an away market. These changes do not unfairly favor or disadvantage any particular group because all members have the opportunity to benefit from the credit by choosing to execute on the Nasdaq Market Center or alternatively pay the routing fee if they opt to access liquidity at an away market.

The Exchange's proposed amendments to its Opening Cross fees do not impose a burden on competition. The proposed amendments seek to enhance clarity, fairness and market efficiency while maintaining a competitive pricing structure. The changes simply clarify that the monthly maximum execution fees for Opening Cross only apply to securities priced at or above \$1.00. The new order fee of 0.25% of total dollar volume for Opening Cross Orders that are executed in securities priced below \$1 also does not impose a burden on competition because it does not disproportionately favor or disadvantage any particular type of market participant. Rather, it promotes equitable treatment by applying fees consistently across all members participating in the Opening Cross. Additionally, the proposed elimination of the Excess Order Fee Program does not impose a burden on competition. The elimination of the underutilized program allows the Exchange to reallocate resources elsewhere and foster a more competitive trading environment.

In sum, if the change proposed herein is unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed change will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

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.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.⁹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

⁹ 15 U.S.C. 78s(b)(3)(A)(ii).

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-NASDAQ-2025-028 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NASDAQ-2025-028. 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 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NASDAQ-2025-028, and should be submitted on or before April 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁰

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-04977 Filed 3-24-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102696; File No. SR-CboeBZX-2025-041]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule Regarding Dedicated Cores

March 19, 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 13, 2025, Cboe BZX Exchange, Inc. (the "Exchange" or "BZX") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (the "Exchange" or "BZX Equities") proposes to amend its fee schedule to adopt fees for Dedicated Cores. 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/BZX/), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the

¹⁰ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 its fee schedule to adopt fees for Dedicated Cores.³

By way of background, the Exchange recently began to allow Users⁴ to assign a Single Binary Order Entry (“BOE”) logical order entry port⁵ to a single dedicated Central Processing Unit (CPU Core) (“Dedicated Core”). Historically, CPU Cores had been shared by logical order entry ports (*i.e.*, multiple logical ports from multiple firms may connect to a single CPU Core). Use of Dedicated Cores however, can provide reduced latency, enhanced throughput, and improved performance since a firm using a Dedicated Core is utilizing the full processing power of a CPU Core instead of sharing that power with other firms. This offering is completely voluntary and is available to all Users that wish to purchase Dedicated Cores. Users may utilize BOE logical order entry ports on shared CPU Cores, either in lieu of, or in addition to, their use of Dedicated Core(s). As such, Users are able to operate across a mix of shared and dedicated CPU Cores which the Exchange believes provides additional risk and capacity management. Further, Dedicated Cores are not required nor necessary to participate on the Exchange

³ The Exchange initially introduced pricing for Dedicated Cores on June 10, 2024 (SR-CboeBZX-2024-054). On August 1, 2024, the Exchange withdrew that filing and submitted SR-CboeBZX-2024-075. On business date September 30, 2024, the Exchange withdrew that filing and submitted SR-CboeBZX-2024-094. On November 26, 2024, the Exchange withdrew that filing and submitted this SR-CboeBZX-2024-122. On January 24, 2025, the Exchange withdrew that filing and submitted SR-CboeBZX-2025-009. On March 12, 2025, the Exchange withdrew that filing and submitted this filing.

⁴ A User may be either a Member or Sponsored Participant. The term “Member” shall mean any registered broker or dealer that has been admitted to membership in the Exchange, 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. A Sponsored Participant may be a Member or non-Member of the Exchange whose direct electronic access to the Exchange is authorized by a Sponsoring Member subject to certain conditions. See Exchange Rule 11.3.

⁵ Users may currently connect to the Exchange using a logical port available through an application programming interface (“API”), such as the Binary Order Entry (“BOE”) protocol. A BOE logical order entry port is used for order entry.

and as such Users may opt not to use Dedicated Cores at all.

The Exchange proposes to assess the following monthly fees for Users that wish to use Dedicated Cores and adopt a maximum limit. First, the Exchange proposes to provide up to two Dedicated Cores to all Users who wish to use Dedicated Cores, at no additional cost. For the use of more than two Dedicated Cores, the Exchange proposes to assess the following fees: \$650 per Dedicated Core for 3–15 Dedicated Cores; \$850 per Dedicated Core for 16–30 Dedicated Cores; and \$1,050 per Dedicated Core for 31 or more Dedicated Cores. The proposed fees are progressive and the Exchange proposes to include the following example in the Fees Schedule to provide clarity as to how the fees will be applied. Particularly, the Exchange will provide the following example: if a User were to purchase 16 Dedicated Cores, it will be charged a total of \$9,300 per month ($\$0 * 2 + \$650 * 13 + \$850 * 1$). The Exchange also proposes to make clear in the Fees Schedule that the monthly fees are assessed and applied in their entirety and are not prorated. The Exchange notes the current standard fees assessed for BOE Logical Ports, whether used with Dedicated or shared CPU cores, will remain applicable and unchanged.⁶

Since the Exchange currently has a finite amount of physical space in its data centers in which its servers (and therefore corresponding CPU Cores) are located, the Exchange also proposes to prescribe a maximum limit on the number of Dedicated Cores that Users may purchase each month. The purpose of establishing these limits is to manage the allotment of Dedicated Cores in a fair manner and to prevent the Exchange from being required to expend large amounts of limited resources in order to provide an unlimited number of Dedicated Cores. The Exchange previously established a limit for Members of a maximum number of 60 Dedicated Cores and Sponsoring Members a limit of a maximum number of 25 Dedicated Cores for each of their Sponsored Access relationships.⁷ The Exchange has since been able to procure additional physical space in its third-party data center as well as additional servers with CPU Cores and also has a better understanding of User demand relative to its available space and

⁶ The Exchange currently assesses \$550 per port per month. Port fees will also continue to be assessed on the first two Dedicated Cores that Users receive at no additional cost. See Cboe BZX Equities Fee Schedule.

⁷ See Securities Exchange Act Release No. 100395 (June 21, 2024), 89 FR 53687 (June 27, 2024) (SR-CboeBZX-2024-054).

available Dedicated Cores since the initial launch of Dedicated Cores. After seeing increased User demand, the Exchange proposed to increase the cap and provided that Members will be limited to a maximum number of 80 Dedicated Cores and Sponsoring Members will be limited to a maximum number of 35 Dedicated Cores for each of their Sponsored Access relationships.⁸ The Exchange noted at that time that it would continue monitoring Dedicated Core interest by all Users and allotment availability with the goal of increasing these limits to meet Users’ needs if and when the demand is there and/or the Exchange is able to accommodate additional Dedicated Cores. Since then, the Exchange has determined that it is able to accommodate an increased cap relative to current demand. As such, the Exchange proposed to increase the cap to 120 Dedicated Cores for Members, effective December 1, 2024.⁹ Sponsoring Members will continue to be limited to a maximum of 35 Dedicated Cores for each of their Sponsored Access relationships.¹⁰

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.¹¹ Specifically,

⁸ See Securities Exchange Act Release No. 101302 (October 10, 2024), 89 FR 83727 (October 17, 2024) (SR-CboeBZX-2024-094).

⁹ The prescribed maximum quantity of Dedicated Cores for Members applies regardless of whether that Member purchases the Dedicated Cores directly from the Exchange and/or through a Service Bureau. In a Service Bureau relationship, a customer allows its MPID to be used on the ports of a technology provider, or Service Bureau. One MPID may be allowed on several different Service Bureaus.

¹⁰ The fee tier(s) applicable to Sponsoring Members are determined on a per Sponsored Access relationship basis and not on the combined total of Dedicated Cores across Sponsored Users. For example, under the proposed changes, a Sponsoring Member that has three Sponsored Access relationships is entitled to a total of 105 Dedicated Cores for those 3 Sponsored Access relationships but would be assessed fees separately based on the 35 Dedicated Cores for each Sponsored User (instead of combined total of 105 Dedicated Cores). For example, a Sponsoring Member with 3 Sponsored Access relationships would pay \$30,450 per month if each Sponsored Access relationship purchased the maximum 35 Dedicated Cores. More specifically, the Sponsoring Member would be provided 2 Dedicated Cores at no additional cost for each Sponsored User under Tier 1 (total of 6 Dedicated Cores at no additional cost) and provided an additional 8 Dedicated Cores at \$650 each for each Sponsored User, 5 Dedicated Cores at \$850 each for each Sponsored User and 20 Dedicated Cores at \$1,050 each for each Sponsored User (combined total of 99 additional Dedicated Cores).

¹¹ 15 U.S.C. 78f(b).

the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹² requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹³ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4)¹⁴ of the Act, which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

The Exchange believes the proposal is reasonable because the Exchange is offering any User who wishes to utilize Dedicated Cores up to two Dedicated Cores at no additional cost. For example, of the Users that currently maintain Dedicated Cores, 23% maintain only 1 or 2 Dedicated Cores and therefore pay no additional fees. The Exchange believes the proposed fees are reasonable because Dedicated Cores provide a valuable service in that it can provide reduced latency, enhanced throughput, and improved performance compared to use of a shared CPU Core since a firm using a Dedicated Core is utilizing the full processing power of a CPU Core. The Exchange also emphasizes however, that the use of Dedicated Cores is not necessary for trading and as noted above, is entirely optional. Users can also continue to access the Exchange through shared CPU Cores at no additional cost. Indeed, only 36% of the Exchange's Members currently use Dedicated Cores and as noted above, of that 36%, only 23% take 1 or 2 Dedicated Cores at no additional cost. Depending on a firm's specific business needs, the proposal enables Users to choose to use Dedicated Cores in lieu of, or in addition to, shared CPU Cores (or as emphasized, not use Dedicated Cores at all). If a User finds little benefit in

having Dedicated Cores based on its business model and trading strategies, or determines Dedicated Cores are not cost-efficient for its needs or does not provide sufficient value to the firm, such User may continue its use of the shared CPU Cores, unchanged. The Exchange is not aware of any specific reason (operational or otherwise) why a firm would not partake in the use of the one to two free Dedicated Cores the Exchange offers. Indeed the Exchange does not believe that the set up a firm would undertake to use free Dedicated Cores offered by the Exchange is prohibitively difficult or burdensome; ultimately, whether or not a firm avails itself of the free Dedicated Cores is a business decision, and some firms may decide that the impact that Dedicated Cores may have is simply not beneficial or necessary to how that firm operates. The Exchange also has no plans to eliminate shared CPU Cores nor to require Users to purchase Dedicated Cores.

The Exchange has seen general interest in Dedicated Cores from a variety of market participants, with varying size and business models. Such market participants include proprietary trading firms (who tend to be more latency sensitive), as well as sell-side market participants and buy-side market participants (who tend to be less latency sensitive). For background, proprietary trading firms utilize their own capital to trade without taking outside money from clients. Due to the nature of their respective businesses, the Exchange has classified proprietary trading firms as latency sensitive, and other groups, such as buy-side hedge funds, sell-side banks and sell-side non-banks (such as agency brokers) as non-latency sensitive. Proprietary trading firms' strategies may range from, market making, to relative value trading and arbitrage—these all rely on profiting from general market activity and, generally, requires faster entry and exit into trades and positions making proprietary trading firms more latency sensitive than other market segments. Buy-side hedge funds, banks and agency brokers are not as latency sensitive as, generally, the strategy for hedge funds is based on overall long-term positioning in the market, and banks and agency brokers may profit from commissions of customer order flow; both are generally strategies that are not reliant on speed to the same extent proprietary trading firms are. Further, Members have various reasons for obtaining Dedicated Cores. Some Members for example, may be seeking to further reduce latency or increase execution determinism,

whereas others may use Dedicated Cores as a general risk mitigation by siloing their respective activity. For example, by using the Dedicated Core(s) to silo its respective activity, a firm may be able to mitigate risk during periods of heightened volatility as the firm will not need to compete for a shared resource (*i.e.*, the shared core). Of further note, only 64% of Members that are proprietary trading firms (who again, generally tend to be more latency sensitive) utilize Dedicated Cores, and of that 64%, 25% are only utilizing the 1 to 2 free Dedicated Cores available to all Users. As mentioned above, some non-latency sensitive firms have chosen to also adopt Dedicated Cores. 21% of Members that are not latency sensitive utilize Dedicated Cores, and of that 21%, 20% are only utilizing the 1 to 2 free Dedicated Cores available to all Users.

The lack of universal, or even widespread, adoption by all such users therefore demonstrates that purchasing Dedicated Cores is not effectively a requirement to compete for any one type of market participant, including latency sensitive market participants. Instead, Dedicated Cores are an optional and voluntary connectivity offering, which market participants are free to choose whether or not to utilize based on whether they meet their unique business needs. Moreover, the Exchange has received overwhelming positive feedback and support for Dedicated Cores from the firms that have chosen to utilize these in furtherance of their respective needs, with some Members even noting that they have moved more of their order flow to the Exchange and its affiliated equities exchanges (the "Equities Exchanges") as they have noticed both better fills and greater consistency of order execution at the Equities Exchanges. This demonstrates that despite any incurred costs for Members that choose to purchase Dedicated Cores, it is ultimately a net win for them as they benefit from better execution. The Exchange believes it also demonstrates that Members find the proposed fees to be both reasonable and have benefited from purchasing or, are alternatively benefiting from the proposed one or two free Dedicated Cores available at no additional cost. The Exchange believes this is shown by both the level of demand for Dedicated Cores and the feedback from market participants that have used the Dedicated Cores for its unique business needs, including as described above. The Exchange also believes it's notable that no negative comment letters in connection with the proposed pricing have been received since the Exchange

¹² 15 U.S.C. 78f(b)(5).

¹³ *Id.*

¹⁴ 15 U.S.C. 78f(b)(4).

first filed proposed fees for Dedicated Cores back on June 10, 2024. Additionally, as noted earlier, Members can (and many have) decide that utilizing even a free Dedicated Core is not needed for their business. The Exchange also notes it has not received any feedback for Members that raise concerns over the barrier to entry to use Dedicated Cores, including notably the free Dedicated Cores—nor is the Exchange aware of any reason why a firm would ultimately choose not to use the free Dedicated Cores, other than it is not necessary for its business. Ultimately, this is a business decision that each Member must make and is best suited to determine and will ultimately depend on the priorities and strategies of that Member's respective business needs.

The Exchange also notes that at least one other exchange also has a comparable offering.¹⁵ The Nasdaq Stock Market, LLC ("Nasdaq"), introduced the Dedicated Ouch Port Infrastructure in 2014¹⁶ which allows a member firm to assign up to 30 of its OUCH ports to a dedicated server infrastructure for its exclusive use.¹⁷ A Dedicated OUCH Port Infrastructure subscription is available to a member firm for a fee of \$5,000 per month, which is in addition to the standard fees assessed for each OUCH port. A one-time installation fee of \$5,000 is assessed subscribers for each Dedicated OUCH Port Server subscription.¹⁸ While there are differences in the offerings themselves—the Exchange offering is more akin to a service offering while the Nasdaq offering is more akin to an infrastructure offering (and as such, the pricing structure does differ)—both offerings offer the ability for a firm to utilize a full processing power of a CPU Core. Moreover, the Exchange's service offering also provides more flexibility, as firms with modest needs at Nasdaq have to buy all 30 ports offered and can't choose to buy less ports (*i.e.*, cores). Lastly, the Exchange emphasizes that order processing itself is not affected by the introduction of Dedicated Cores. No relevant changes are intended to the matching engine, which is, and remains, the main component of the Exchange's infrastructure being responsible for the actual processing of orders.

¹⁵ See The Nasdaq Stock Market, Equity 7 Pricing Schedule, Section 115(g)(3), Dedicated Ouch Port Infrastructure.

¹⁶ See Securities Exchange Act Release No. 70693 (October 16, 2013), 78 FR 62761 (October 22, 2013) (SR-NASDAQ-2013-131).

¹⁷ See *supra* note 15.

¹⁸ *Id.*

The Exchange also believes that the proposed Dedicated Core fees are equitable and not unfairly discriminatory because they continue to be assessed uniformly to similarly situated users in that all Users who choose to purchase Dedicated Cores will be subject to the same proposed tiered fee schedule. Moreover, all Users are entitled to up to 2 Dedicated Cores at no additional cost and, as previously discussed, 23% of all Users that take Dedicated Cores (including both latency sensitive and non-latency sensitive Users) take only 1 or 2 Dedicated Cores at no additional cost. The Exchange believes the proposed ascending fee structure is also reasonable, equitable and not unfairly discriminatory as it is designed so that firms that use a higher allotment of the Exchange's finite number of Dedicated Cores pay higher rates, rather than placing that burden on market participants that have more modest needs who will have the flexibility of obtaining Dedicated Cores at lower price points in the lower tiers. As such, the proposed fees do not favor certain categories of market participants in a manner that would impose a burden on competition; rather, the ascending fee structure reflects the (finite) resources consumed by the various needs of market participants—that is, the lowest Dedicated Core consuming Users pay the least, and highest Dedicated Core consuming Users pay the most. The Exchange believes that such pricing further creates a lower barrier to entry for all Members, making this service widely available to all who deem it helpful for their business, including those with more modest needs. Other exchanges similarly assess higher fees to those that consume more Exchange resources, including the Exchange on its options platform.¹⁹ Moreover, those consuming more Dedicated Cores do so if they find a benefit in having higher quantities of Dedicated Cores based on their respective business needs. The proposed tier structure is also designed to encourage firms to manage their needs in a fair manner and to prevent the Exchange from being required to expend large amounts of limited resources in order to provide an additional number of Dedicated Cores or put the Exchange in a position that it cannot accommodate demand. Moreover, as discussed above and in more detail below, the Exchange cannot currently offer an unlimited number of Dedicated Cores due in part to physical

¹⁹ See *e.g.*, Cboe U.S. Options Fee Schedule, BZX Options, Options Logical Port Fees, Ports with Bulk Quoting Capabilities.

space constraints in the third-party data center. The Exchange believes the proposed ascending fee structure is therefore another appropriate means, in conjunction with an established cap, to manage this finite resource and ensure the resource is apportioned more fairly.

The Exchange believes it is reasonable to limit the number of Dedicated Cores Users can purchase because the Exchange has a finite amount of space in its third-party data centers to accommodate CPU cores, including Dedicated Cores. The Exchange must also take into account timing and cost considerations in procuring additional Dedicated Cores and related hardware such as servers, switches, optics and cables, as well as the readiness of the Exchange's data center space to accommodate additional Dedicated Cores in the Exchange's respective Order Handler Cabinets.²⁰ Moreover, procuring data center space has grown to be more challenging than it was five years ago with the increased demand for data center space. For example, the U.S. colocation data center market has doubled in size in just four years. In addition to the Exchange's rollout of Dedicated Cores, the Exchange is mindful of its other business areas and the need to continue to be mindful of its existing, external restraints in procuring additional space in this area. The Exchange has, and will continue to, monitor market participant demand and space availability and endeavor to adjust the limit if and when the Exchange is able to acquire additional space and power within the third-party data centers and/or additional CPU Cores to accommodate additional Dedicated Cores.²¹ The Exchange monitors its capacity and data center space and thus is in the best place to determine these limits and modify them as appropriate in response to changes to this capacity and space, as well as market demand. For example, the Exchange's affiliate Cboe EDGA Exchange, Inc. has increased the prescribed maximum limit three times since the launch of Dedicated Cores on its exchange on February 26, 2024 as a result of evaluating the demand relative to Dedicated Cores availability.²² The

²⁰ The Exchange notes that it cannot currently convert shared CPU cores into Dedicated Cores.

²¹ The Exchange noted that only User that has Dedicated Cores is at or near the maximum limits. The average number of Dedicated Cores used for the Exchange is 22.

²² See Securities Exchange Act Release No. 99983 (April 17, 2024), 89 FR 30418 (April 23, 2024) (SR-CboeEDGA-2024-014) Securities Exchange Act Release No. 100300 (June 10, 2024), 89 FR 50653 (June 14, 2024) (SR-CboeEDGA-2024-020); and Securities Exchange Act Release No. 100736

proposed increased limits continue to apply uniformly to similarly situated market participants (*i.e.*, all Members are subject to the same limit and all Sponsored Participants are subject to the same limit, respectively). The Exchange believes it's not unfairly discriminatory to provide for different limits for different types of Users. For example, the Exchange believes it's not unfairly discriminatory to provide for an initial lower limit to be allocated for Sponsored Participants because unlike Members, Sponsored Participants are able to access the Exchange without paying a Membership Fee. Members also have more regulatory obligations and risk that Sponsored Participants do not. For example, while Sponsored Participants must agree to comply with the Rules of the Exchange, it is the Sponsoring Member of that Sponsored Participant that remains ultimately responsible for all orders entered on or through the Exchange by that Sponsored Participant. The industry also has a history of applying fees differently to Members as compared to Sponsored Participants.²³ Lastly, the Exchange believes its proposed maximum limits, and distinction between Members and Sponsored Users, is another appropriate means to help the Exchange manage its allotment of Dedicated Cores and better ensure this finite resource is apportioned fairly.

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 intramarket competition that is not necessary in furtherance of the purposes of the Act because the proposed tiered fee structure will apply equally to all similarly situated Users that choose to use Dedicated Cores. As discussed above, Dedicated Cores are optional and Users may choose to utilize Dedicated Cores, or not, based on their views of the additional benefits and added value provided by utilizing a Dedicated Core. The Exchange believes the proposed fees will be assessed proportionately to the potential value or benefit received by Users with a greater number of Dedicated Cores and notes that Users may determine at any time to cease using Dedicated Cores. As discussed, Users can also continue to access the Exchange through shared CPU Cores at no additional cost. Finally,

(August 21, 2024), 89 FR 67696 (August 15, 2024) (SR-CboeEDGA-2024-032).

²³ See *e.g.*, Securities Exchange Act Release No. 68342 (December 3, 2012), 77 FR 73096 (December 7, 2012) (SR-CBOE-2012-114), and Securities Exchange Act Release No. 66082 (January 3, 2012), 77 FR 1101 (January 9, 2012) (SR-C2-2011-041).

all Users will be entitled to two Dedicated Cores at no additional cost.

Next, the Exchange believes the proposed rule change does not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As previously discussed, the Exchange operates in a highly competitive market, including competition for exchange memberships. Market Participants have numerous alternative venues that they may participate on, including 15 other equities exchanges, as well as off-exchange venues, where competitive products are available for trading. Indeed, participants can readily choose to submit their order flow to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. Further, as described above, Nasdaq also already provides a similar offering.²⁴

Moreover, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies."²⁵ The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition v. Securities and Exchange Commission*, the D.C. Circuit stated as follows: "[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . ."²⁶ Accordingly, the Exchange does not believe its proposed change imposes any burden on competition that is not necessary or

²⁴ See The Nasdaq Stock Market, Equity 7 Pricing Schedule, Section 115(g)(3), Dedicated Ouch Port Infrastructure.

²⁵ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

²⁶ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782-83 (December 9, 2008) (SR-NYSEArca-2006-21)).

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

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act²⁷ and paragraph (f) of Rule 19b-4²⁸ thereunder. 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-CboeBZX-2025-041 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-CboeBZX-2025-041. 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

²⁷ 15 U.S.C. 78s(b)(3)(A).

²⁸ 17 CFR 240.19b-4(f).

with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CboeBZX-2025-041 and should be submitted on or before April 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁹

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-04976 Filed 3-24-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35507; File No. 812-15703]

North Haven Private Income Fund LLC, et al.

March 20, 2025.

AGENCY: Securities and Exchange Commission ("Commission" or "SEC").

ACTION: Notice.

Notice of an application under Section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from Sections 18(a)(2), 18(c), 18(i), and 61(a) of the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end investment companies that have elected to be regulated as business development companies to issue multiple classes of shares with varying sales loads and asset-based distribution and/or service fees.

APPLICANTS: North Haven Private Income Fund LLC, North Haven Private

Income Fund A LLC, and MS Capital Partners Adviser Inc.

FILING DATES: The application was filed on February 20, 2025 and amended on March 17, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretaries-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below.

Hearing requests should be received by the Commission by 5:30 p.m. on April 14, 2025, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretaries-Office@sec.gov*.

ADDRESSES: The Commission: *Secretaries-Office@sec.gov*. Applicants: Mustufa Salehbhai, Morgan Stanley Legal and Compliance, 3280 Peachtree Road, 20th Floor, Atlanta, GA 30305, *Mustufa.Salehbhai@morganstanley.com*; Thomas J. Friedmann, Dechert LLP, *Thomas.Friedmann@dechert.com*; and William J. Bielefeld, Dechert LLP, *William.Bielefeld@dechert.com*.

FOR FURTHER INFORMATION CONTACT: Deepak Pai, Senior Counsel, Lisa Reid Ragen, Branch Chief, or Thomas Ahmadifar, Branch Chief, at (202) 551-6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' First Amended and Restated Application, dated March 17, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at, <https://www.sec.gov/edgar/searchedgar/companysearch>. You may also call the SEC's Office of Investor Education and Advocacy at (202) 551-8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-04997 Filed 3-24-25; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

Interest Rates

The Small Business Administration publishes an interest rate called the Optional Peg Rate (13 CFR 120.214) on a quarterly basis. This rate is a weighted average cost of money to the Government for maturities similar to the average SBA direct loan. This rate may be used as a base rate for guaranteed fluctuating interest rate SBA loans. This rate will be 4.75 percent for the April-June quarter of fiscal year 2025.

Pursuant to 13 CFR 120.921(b), the maximum legal interest rate for any Third Party Lender's commercial loan which funds any portion of the cost of a 504 project (see 13 CFR 120.801) shall be 6% over the New York Prime rate or, if that exceeds the maximum interest rate permitted by the constitution or laws of a given State, the maximum interest rate will be the rate permitted by the constitution or laws of the given State.

David Parrish,
Chief, Secondary Market Division.

[FR Doc. 2025-04987 Filed 3-24-25; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20991 and #20992; TEXAS Disaster Number TX-20044]

Administrative Declaration of a Disaster for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Texas dated March 19, 2025.

Incident: Thunderstorms, Straight-line Winds and Tornadoes.

DATES: Issued on March 19, 2025.

Incident Period: March 4, 2025.

Physical Loan Application Deadline Date: May 19, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: December 19, 2025.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

²⁹ 17 CFR 200.30-3(a)(12).

FOR FURTHER INFORMATION CONTACT:

Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator’s disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Dallas.

Contiguous Counties:

Texas: Collin, Denton, Ellis, Kaufman, Rockwall, Tarrant.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.500
Homeowners without Credit Available Elsewhere	2.750
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 20991C and for economic injury is 209920.

The States which received an EIDL Declaration are Texas.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025-04989 Filed 3-24-25; 8:45 am]

BILLING CODE 8026-09-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2025-0442]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Financial Responsibility for Licensed Launch Activities

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The information to be collected will be used to determine if licensees have complied with financial responsibility requirements for maximum probable loss determination (MPL) analysis as set forth in FAA regulations. The FAA is responsible for determining MPL required to cover claims by a third party for bodily injury or property damage, and the United States, its agencies, and its contractors and subcontractors for covered property damage or loss, resulting from a Commercial space transportation permitted or licensed activity. The MPL determination forms the basis for financial responsibility requirements issued in a license or permit order.

DATES: Written comments should be submitted by May 27, 2025.

ADDRESSES: Please send written comments:

By Electronic Docket:

www.regulations.gov (Enter docket number into search field).

By mail: Charles Huet, 800 Independence Avenue SW, Room 331, Washington, DC 20591.

By fax: 202-267-5463.

FOR FURTHER INFORMATION CONTACT:

Charles Huet by email at: Charles.huet@faa.gov; phone: 202-267-7427.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA’s performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality

of the collected information. The agency will summarize and/or include your comments in the request for OMB’s clearance of this information collection.

OMB Control Number: 2120-0601.

Title: License Requirements for Operation of a Launch Site.

Form Numbers: There are no FAA forms associated with this collection.

Type of Review: Renewal of an information collection.

Background: This collection is applicable upon concurrence of requests for conducting commercial launch operations as prescribed in 14 CFR parts 401 *et al.*, Commercial Space Transportation Licensing Regulation. A commercial space launch services provider must complete the Launch Operators License, Launch-Specific License or Experimental Permit to gain authorization for conducting commercial launch operations.

The information will be collected per 14 CFR part 440 appendix A. A permit or license applicant is required to provide the FAA information to conduct maximum probable loss determination. Also, it is a mandatory requirement that all commercial permitted and licensed launch applicants obtain financial coverage for claims by a third party for bodily injury or property damage. FAA is responsible for determining the amount of financial responsibility required using maximum probable loss determination. The financial responsibility must be in place and active for every launch activity. Applicants’ launched activity can vary, on average, from once a week to once a year. If there are any significant changes to the launch vehicle that potentially could modify the results of the financial responsibility determined, the permitted and licensed applicant must provide updated information to the FAA. The FAA will use the updated collected information and revise the financial responsibility results.

The following is summary of the information required to conduct an MPL:

1. Mission description including: launch trajectory, orbital inclination; and orbit altitudes (apogee and perigee).
2. Flight sequence.
3. Staging events and the time for each event.
4. Impact locations.
5. Identification of the launch site facility, including the launch complex on the site, planned date of launch, and launch windows.
6. Launch vehicle descriptions including: general description of the launch vehicle and its stages, including dimensions; description of major systems, including safety systems.

Description of rocket motors and type of fuel used; and identification of all propellants to be used and their hazard classification under the hazardous materials.

7. Payload.

8. Flight safety system.

Respondents: Approximately 10 applicants.

Frequency: Information is collected on occasion.

Estimated Average Burden per

Response: 100 hours.

Estimated Total Annual Burden: 1,000 hours.

Issued in Washington, DC.

James A. Hatt,

Space Policy Division Manager, Commercial Space Transportation, Federal Aviation Administration.

[FR Doc. 2025-05022 Filed 3-24-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2020-0101]

Controlled Substances and Alcohol Use and Testing: DISA Entertainment Compliance Solutions Application for Exemption From the Drug and Alcohol Clearinghouse Pre-Employment Full-Query

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of application for renewal of exemption.

SUMMARY: FMCSA announces that it has received an application from DISA Entertainment Compliance Solutions (DECS), formerly known as Motion Picture Compliance Solutions, to renew its exemption from the requirement that an employer must not employ a driver who is subject to drug and alcohol testing to perform safety-sensitive functions prior to conducting a full query of the Drug and Alcohol Clearinghouse (Clearinghouse) on behalf of its members that employ commercial driver's license (CDL) holders. Under the requested exemption, DECS would conduct a limited query of the Clearinghouse before one of its member employers hires a driver for a project. If the limited query indicates that information about the driver exist in the Clearinghouse, the driver would not be permitted to perform safety-sensitive functions unless and until a full query subsequently shows that the driver is not prohibited from operating a commercial motor vehicle (CMV).

FMCSA requests public comment on DECS' application for an exemption.

DATES: Comments must be received on or before April 24, 2025.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number FMCSA-2020-0101 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the Public Participation and Request for Comments section below for further information.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, 1200 New Jersey Avenue SE, Washington, DC 20590-0001 between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493-2251.

Each submission must include the Agency name and the docket number for this notice (FMCSA-2020-0101). Note that DOT posts all comments received without change to www.regulations.gov, including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments, go to www.regulations.gov at any time or visit the ground level of the U.S. Department of Transportation, West Building, at 1200 New Jersey Avenue SE, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

Privacy Act: In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption renewal request. DOT posts these comments, 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 under the "Department Wide System of Records Notices" at www.dot.gov/privacy/privacy-act-system-records-notices. The comments are searchable by the name of the submitter and are posted without edit.

FOR FURTHER INFORMATION CONTACT: Pearlie Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; FMCSA; (202) 366-4225; pearlie.robinson@dot.gov. If you have questions on viewing or submitting

material to the docket, contact Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2020-0101), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to www.regulations.gov, insert the docket number (FMCSA-2020-0101) in keyword box, and click on this notice, click "Comment," and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as "PROPIN" to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the

notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at brian.g.dahlin@dot.gov. At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov> insert FMCSA–2020–0101 in the keyword box, select the document tab and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Docket Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

D. Privacy

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed under the “Department Wide System of Records Notices” at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analyses. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). The Agency must publish the decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt and the effective period and will explain all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Currently, 49 CFR 382.701(a)(2) requires that employers must not employ a driver subject to the testing requirements of 49 CFR part 382 without first conducting a pre-employment full query of the Clearinghouse. A full query allows the employer to see any information that exists about a driver in the Clearinghouse. An employer must obtain the driver’s specific consent, provided electronically through the Clearinghouse, prior to the release of detailed information in response to the full query.

By contrast, a limited query allows an employer to determine whether the Clearinghouse contains any information about the driver but does not release any specific information about the driver. Limited queries require only a driver’s general consent, which is obtained and retained outside the Clearinghouse and may be in written or electronic form. Under 49 CFR 382.701(b)(2), an employer may conduct a limited query in lieu of a full query when satisfying the annual query requirement for current driver-employees. However, if the response to a limited query indicates there is information about the driver in the Clearinghouse, the employer must conduct a full query, after obtaining the driver’s specific consent, within 24 hours, as required by 49 CFR 382.701(b)(3). If the full query is not conducted within the 24-hour period, or shows that the driver is prohibited from operating a CMV, the employer must not permit the driver to continue to perform safety-sensitive functions.

On February 4, 2020, in response to a request from DECS, FMCSA issued DECS a three-month waiver from 49 CFR 382.701(a)(2) on behalf of its members that employ CDL holders

subject to drug and alcohol testing under 49 CFR part 382. On June 1, 2020, FMCSA granted DECS a five-year exemption from 49 CFR 382.701(a)(2), which indicates that DECS would likely achieve a level of safety obtained by complying with the regulation (85 FR 33274). The exemption will expire on May 28, 2025.

Application for Renewal of Exemption

DECS has requested an additional five-year renewal of its exemption from 49 CFR 382.701(a)(2) on behalf of its members that employ CDL holders subject to drug and alcohol testing under 49 CFR part 382. DECS’ members employ drivers providing transportation services to or from theatrical, commercial, television, or motion picture production sites. Renewal of the exemption would allow DECS to continue to conduct a limited query of the Clearinghouse before one of its member employers hires a driver for a project. If the limited query indicates that information about the driver exists in the Clearinghouse, the driver would not be permitted to perform safety-sensitive functions unless and until a full query subsequently shows that the driver is not prohibited from operating a CMV. DECS, serving as a Consortium/Third-party Administrator (C/TPA) for its member employers, requests, obtains, and retains limited query general consent forms from drivers. A copy of the exemption application is included in the docket referenced at the beginning of this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on DECS’ application for an exemption renewal. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2025–05021 Filed 3–24–25; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****[Docket No. FRA–2025–0010]****Proposed Agency Information Collection Activities; Comment Request**

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) summarized below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

DATES: Interested persons are invited to submit comments on or before May 27, 2025.

ADDRESSES: Written comments and recommendations for the proposed ICR should be submitted on www.regulations.gov to the docket, Docket No. FRA–2025–0010. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number (2130–0539) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent 30-day notice, made available to the public, and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Ms. Arlette Mussington, Information Collection Clearance Officer, at email: arlette.mussington@dot.gov or telephone: (571) 609–1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email: joanne.swafford@dot.gov or telephone: (757) 897–9908.

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60 days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) whether the information collection activities are necessary for FRA to properly execute

its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, comments received will advance three objectives: (1) reduce reporting burdens; (2) organize information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

Title: Railroad Workplace Safety.

OMB Control Number: 2130–0539.

Abstract: FRA collects a variety of information associated with 49 CFR part 214, Railroad Workplace Safety. To ensure compliance with part 214, FRA collects data on affected railroads' on-track safety programs to determine that railroads have policies, procedures, and practices in place that protect roadway workers from dangers in their work environment. Railroads are required to provide on-track safety manuals to all roadway workers that they can readily consult to determine what on-track safety procedures are required for their work assignment. Under the regulation, railroads are required to provide initial and recurrent training to roadway workers on their on-track safety program. This includes training for roadway workers who work where on-track safety for adjacent controlled tracks is required, and the appropriate practices and procedures they must follow.

FRA collects data from railroads on training through the records that they are required to keep. Additionally, FRA collects information on violations of workplace safety regulations on Form FRA F 6180.119. FRA uses violation information to support actions that will reduce or eliminate hazards to railroad workers. Specifically, FRA uses the

information that it collects, under this regulation, to monitor and enforce requirements relating to the safety of roadway workers and ensure that railroads fulfill their responsibilities to keep roadway workers secure and free from unnecessary and avoidable hazards.

In this 60-day notice, FRA has made multiple adjustments to estimated paperwork burdens. FRA's estimate of all burden hours under this ICR has increased from 5,619 hours to 13,604 hours, and the number of estimated responses has increased from 105,751 to 290,698. The main reason for these increases is the inclusion of an existing recordkeeping requirement under § 214.337(f), detailed below. FRA also determined that several of the paperwork burdens reported in its previous submission were overestimated and some were determined to be unnecessary under the PRA as detailed below:

- Under § 214.307, On-track safety programs, FRA made burden estimate adjustments to reflect that most railroads have completed this requirement, and to account for the number of times FRA receives notifications from railroads with respect to any amendments made to their current safety programs or from new railroad startups. Specifically, FRA estimates two new railroad startups will submit on-track safety programs each year. In addition, FRA expects to receive approximately 25 notifications of amendments to existing on-track safety programs from established railroads. Consequently, the burden estimate for this requirement has decreased from 679 burden hours to 37 burden hours.

- § 214.336, On-track safety procedures for certain roadway work groups and adjacent tracks. After a thorough review, FRA found that this requirement is not a collection of information under 5 CFR 1320.3(b)(2). Therefore, 28 estimated burden hours associated with this requirement were removed from this ICR.

- Under § 214.337(f), On-track safety procedures for lone workers, it was determined that the burden was not included in FRA's previously reported submissions. This submission corrects that oversight, adding 10,400 burden hours.

- Under paragraph (c) of § 214.505, Required environmental control and protection systems for new on-track roadway maintenance machines with enclosed cabs, the average burden associated with the list of designated on-track roadway maintenance machines was decreased from 1 hour to 5 minutes. The decrease in burden

hours reflects that, with the exception of startups, railroads should have already developed these designated lists and, therefore, only need to maintain and update them as appropriate.

• Additionally, the previously reported burden of 13 hours under § 214.505(d), related to existing roadway maintenance machines identified as “designated,” has been removed from this ICR because the regulatory requirement does not cause the collection of any information.

• A review of the number of FRA F 6180.119 forms, submitted over the last four and a half years, showed that on average only six forms were submitted annually. Therefore, the burden hours associated with this requirement were decreased by 492 hours.

• Finally, the overall recordkeeping burden hours have decreased from 3,387 hours to 2,953 hours. This decrease is due to the reduced number of roadway workers employed with the railroads.

Type of Request: Extension without change (with changes in estimates) of a currently approved collection.

Affected Public: Businesses, Roadway Workers, State Safety Inspectors.

Form(s): FRA F 6180.119.

Respondent Universe: 800 Railroads, 200 Contractors, 43,000 Roadway Workers and 350 State Inspectors.

Frequency of Submission: On occasion.

Reporting Burden:

CFR Section/subject	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C) = A * B	Wage rate	Total cost equivalent wage rate ¹ (D) = C *
<i>Part 214 Workplace Safety Violation Report: Form FRA F 6180.119—</i>	350 State Safety Inspectors.	6	4 hours	24	\$69.79	\$1,674.96
<i>214.307 On-track safety programs:</i>						
—(a) New railroads on-track safety program	800 Railroads	2	10 hours	20	89.13	1,782.60
—(b) RR notification to FRA not less than one month before on-track safety program takes effect.	800 Railroads	2	20 minutes	0.66	89.13	58.83
—RR notification to FRA for amendments to existing on-track safety programs.	800 Railroads	25	20 minutes	8.25	89.13	735.32
—(c) RR amended on-track safety programs after FRA disapproval.	800 Railroads	0.33	4 hours	1.32	89.13	117.66
—written response in support of disapproved program.	800 Railroads	0.33	20 hours	6.60	89.13	588.26
<i>214.309 On-track safety manual:</i>						
—(c) RR publication of bulletins/notices reflecting changes in on-track safety manual.	800 Railroads	50	1 hour	50	89.13	4,456.50
<i>214.319 Working limits, generally:</i>						
(c) Written request to FRA to exempt a segment of track from the requirements of paragraph (b) of this section.	<i>FRA anticipates zero submissions for this requirement over the next three-year period.</i>					
<i>214.320 Roadway maintenance machines movement over signalized non-controlled track:</i>						
—Request in writing from RR to FRA for equivalent level of protection to that provided by limiting all train and locomotive movements to restricted speed.	800 Railroads	0.33	4 hours	1.32	89.13	117.66
<i>214.322 Exclusive track occupancy, electronic display:</i>						
—(b) Written authorities/printed authority copy if electronic display fails or malfunctions.	3 Class I Railroads	1,000	10 minutes	166.67	69.79	11,631.90
<i>214.329 Train approach warning provided by watchmen/lookouts:</i>						
—(f) Written designation of watchmen/lookouts	800 Railroads	26,250	30 seconds	218.75	89.13	19,497.19
<i>214.337 On-track safety procedures for lone workers:</i>						
—(f) written statements	800 Railroads	208,000	3 minutes	10,400	69.79	725,816
<i>214.343 Training and qualification, general:</i>						
214.343 through 214.357—Annual training for all roadway workers—Records of training.	43,000 roadway Workers.	43,000	2 minutes	1,433	89.13	127,723.29
<i>214.503 Good-faith challenges; procedures for notification and resolution:</i>						
—(c) Written procedures for resolution of good faith challenges.	2 new railroads	2	2 hours	4	89.13	356.52
<i>214.505 Required environmental control and protection systems for new on-track roadway maintenance machines with enclosed cabs:</i>						
—(c) Designation list of new and existing on-track roadway maintenance machines.	800 railroads, 200 contractors.	800	5 minutes	64	89.13	5,704.32
—(j)(4) Stenciling or marking of remotely operated roadway maintenance machine.	30 remotely operated machines.	10	5 minutes	0.83	69.79	57.93
<i>214.507 Required safety equipment for new on-track roadway maintenance machines:</i>						
—(d) A-Built Light Weight displayed on new roadway maintenance machines.	800 railroads, 200 contractors.	1,000	5 minutes	83.33	69.79	5,815.60
<i>214.511 Required audible warning devices for new on-track roadway maintenance machines:</i>						
—Required audible warning devices for new on-track roadway maintenance machines.	800 railroads, 200 contractors.	3,700	5 minutes	308.33	69.79	21,518.35
<i>214.515 Overhead covers for existing on-track roadway maintenance machines:</i>						
—(b) Overhead covers for existing on-track roadway maintenance machines.	800 Railroads	50	30 minutes	25	89.13	2,228.25

CFR Section/subject	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C) = A * B	Wage rate	Total cost equivalent wage rate ¹ (D) = C *
214.517 <i>Retrofitting of existing on-track roadway maintenance machines manufactured on or after January 1, 1991:</i> —(c) Stenciling the light weight on the machine	800 railroads, 200 contractors.	500	5 minutes	41.67	69.79	2,908.15
214.523 <i>Hi-rail vehicles:</i> —(b) Records of compliance	800 railroads, 200 contractors.	5,000	5 minutes	416.67	89.13	37,137.80
—(d)(2) Non-complying conditions—Tagging and reporting.	800 railroads, 200 contractors.	500	10 minutes	83.33	89.13	7,427.21
214.527 <i>On-track roadway maintenance machines; inspection for compliance and schedule for repairs:</i> —(b) Inspection for compliance—tagging and reporting non-complying condition.	800 railroads, 200 contractors.	550	20 minutes	183.33	69.79	12,794.60
214.533 <i>Schedule of repairs subject to availability of parts:</i> —(d) Records of compliance	800 railroads, 200 contractors.	250	15 minutes	62.50	89.13	5,570.63
Totals ²	800 railroads, 200 contractors.	290,698	N/A	13,604	N/A	966,583

¹ The dollar equivalent cost is derived from the 2023 Surface Transportation Board Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of 50.93 and group 300 (Maintenance of Way & Structures) hourly wage rate of 39.88. The total burden wage rates (Straight time plus 75%) used in the table are 89.13 (50.93 × 1.75 = 89.13), and 69.79 (39.88 × 1.75).

² Totals may not add up due to rounding.

Total Estimated Annual Responses: 290,698.

Total Estimated Annual Burden: 13,604 hours.

Total Estimated Annual Dollar Cost Equivalent: 966,583.

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Christopher S. Van Nostrand,
Deputy Chief Counsel.

[FR Doc. 2025–04992 Filed 3–24–25; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2025–0018]

Pipeline Safety: Pipeline Safety Management System

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation.

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: PHMSA is issuing this advisory bulletin to promote the implementation of a pipeline safety management system (PSMS) by regulated pipeline owners and operators.

FOR FURTHER INFORMATION CONTACT:

Joseph Yoon by phone at 202–819–1547 or by email at joseph.yoon@dot.gov.

SUPPLEMENTARY INFORMATION: PSMS provides a proactive and systematic approach to risk management of complex processes across the pipeline organization to operate safely and to improve safety performance. PSMS also provides a scalable framework for pipeline operators of varying size, scope, and level of PSMS implementation maturity. PHMSA encourages pipeline operators to develop and to implement PSMS programs, using a framework such as the one detailed in American Petroleum Institute (API) Recommended Practice (RP) 1173: Pipeline Safety Management Systems (API RP 1173). The framework should define the elements for identifying, managing, and reducing risks throughout the pipeline life cycle. Issuance of this advisory bulletin is consistent with section 205 of the Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020 (Pub. L. 116–260),¹ which directs the Secretary of Transportation (Secretary) to “promote” the implementation of pipeline safety management systems by pipeline operators. It also addresses the National Transportation Safety Board’s (NTSB) Safety Recommendation P–24–002.

I. Background

A safety management system (SMS) is an organization-wide approach to managing safety risk through systematic

¹ See 49 U.S.C. 60103 note.

procedures, practices, and policies. The Federal Aviation Administration (FAA) defines SMS as a “formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of safety risk controls. It includes systematic procedures, practices, and policies for the management of safety risk.”² In the pipeline community, SMS is similarly described as a “systematic approach to managing safety, including the structures, policies, and procedures an organization uses to direct and control its activities.”³

NTSB has long advocated for PSMS implementation by the pipeline industry. After investigating two serious accidents in 2010, NTSB found that pipeline safety would be enhanced if pipeline companies implemented SMSs. The first accident occurred on July 25, 2010, when a 30-inch pipeline ruptured in Marshall, Michigan, resulting in the estimated release of 840,000 gallons of crude oil into the Kalamazoo River. The second accident occurred on September 9, 2010, when a natural gas transmission pipeline ruptured in San Bruno, California, killing eight people, injuring many more, and destroying 38 homes.

² FAA Order 8000.369C, *Safety Management System*, (June 24, 2020), https://www.faa.gov/documentLibrary/media/Order/Order_8000.369C.pdf.

³ Pipeline SMS Industry Team, *Introduction to Pipeline SMS Implementation, Book 2: What is a Pipeline SMS?*, https://pipelinesms.org/wp-content/uploads/2021/01/DM2018-045-Pipeline-SMS-Book-2_PRINT-READY_CMYK_062119_Branding-Updates.pdf.

NTSB issued Pipeline Accident Report NTSB/PAR–12/01 following its investigation of the former accident.⁴ In discussing the benefits of applying SMS to pipeline systems, NTSB stated:

In recent years, several transportation modes have implemented SMSs to enhance the safety of their operations, and the NTSB has consistently supported these activities. The NTSB has advocated the implementation of SMSs in transportation systems by elevating SMSs to its Most Wanted List. However, the NTSB has not called for an SMS in pipeline operations. This Marshall accident and the 2010 pipeline accident in San Bruno, California, indicate that SMSs are needed to enhance the safety of pipeline operations.

Both the San Bruno accident and the Marshall accident involved errors at the management and operator levels in both pipeline integrity and control center operations. The delays in recognizing and responding to the pipeline rupture and the deficiencies in control center team performance were prominent aspects of both accidents. . . .

The evidence from this accident and from the San Bruno accident indicates that company oversight of pipeline control center management and operator performance was deficient. In both cases, pipeline ruptures were inadequately identified and delays in identifying and responding to the leaks exacerbated the consequences of the initial pipeline ruptures.

Therefore, the NTSB conclude[d] that pipeline safety would be enhanced if pipeline companies implemented SMSs.⁵

Having reached these conclusions, NTSB issued Safety Recommendation P–12–17 advising API to “facilitate the development of a safety management system standard specific to the pipeline industry that is similar in scope to [API’s] Recommended Practice 750, Management of Process Hazards.” API responded by forming a multi-stakeholder work group, including PHMSA representatives, to develop a PSMS recommended practice, and that effort ultimately led to the issuance of API RP 1173 (1st edition) on July 8, 2015.

In response to API RP 1173, the pipeline industry formed a PSMS Industry Team (PSMS Team) to educate stakeholders and to enhance safe pipeline operations through the implementation and use of PSMSs.⁶ The PSMS Team developed various tools that pipeline operators could use as

guidelines to assist in planning, developing, and implementing PSMSs. Since the issuance of API RP 1173 in 2015, PHMSA, States, various industry associations, and other stakeholders have encouraged voluntary implementation of PSMS across the pipeline industry. In its 2023 Annual Report, the PSMS Team indicated that nearly 85 percent of total pipeline industry mileage is covered by PSMS.⁷ Information obtained from a 2023 PHMSA voluntary information collection to determine how many gas distribution operators are implementing PSMSs indicated that about 86 percent of all gas distribution pipeline mileage is operated by companies that have begun implementing PSMSs voluntarily.⁸

In January 2024, NTSB issued Safety Recommendation P–24–002 to PHMSA in response to a pipeline release that occurred on October 1, 2021, in San Pedro Bay in California. In that safety recommendation, NTSB advised PHMSA to “[i]ssue an advisory bulletin to all Pipeline and Hazardous Materials Safety Administration-regulated pipeline owners and operators, promoting the benefits of pipeline safety management systems and asking them to develop and implement such a system based on American Petroleum Institute Recommended Practice 1173.”⁹ NTSB stated that “the implementation of a robust PSMS program would have helped” the operator of the ruptured pipeline “comply with regulations, ensure employees were following company procedures, and better prepare personnel to respond and react to the conditions found during this release.”¹⁰ NTSB concluded that had a PSMS been in place, the operator “may have further evaluated their operations, identified continuous improvement opportunities, and better positioned their staff to respond and react to a leak.”¹¹

In July 2024, NTSB issued a Safety Alert, “Pipeline Safety Management Systems: Vital for the Safe Operation of

Pipelines.”¹² In that safety alert, NTSB noted it found that: (1) “pipeline safety would be enhanced if companies implemented [PSMS];” (2) “[a]lthough PSMS have been adopted by operators representing 85 percent of industry pipeline mileage, many operators, particularly smaller operators, have not yet adopted PSMS;” (3) “[t]he pipeline industry continues to have accidents that could have been prevented or the consequences more effectively mitigated had risks been more thoroughly identified and addressed;” and (4) “[w]ithout full commitment from the pipeline industry to implement and mature PSMS, pipeline accidents will continue to occur and the industry will not be able to meet their goal of zero accidents, fatalities, and serious injuries.”¹³

NTSB further noted that pipeline operators can: (1) “[i]mplement a robust PSMS as described in API RP 1173. API RP 1173 *Pipeline Safety Management System* requirements provide guidance for operators to establish a system to continuously track and improve safety”; (2) “[f]or those who have incorporated PSMS into their practices, continue to improve operations and training. Pipeline operators with PSMS cannot be complacent. One of the hallmarks of a good PSMS is that it continuously evolves and improves safety programs”; (3) “[s]upport revisions to API RP 1173 and other guidance as it is developed to include small operators and contractors in their efforts to establish a PSMS. According to the 2022 *Pipeline SMS Annual Report*, ‘Last year also featured important initiatives to support small operator and contractor implementation of RP 1173 along their journey of continuous improvement and the combined vision of One Industry, One Team, One Mission. Pipeline Safety’”; and (4) “[w]ith a PSMS, operators can ensure pipelines are designed, constructed, operated, and maintained in a way that complies with more than the minimum safety standards found in regulations. Experience has shown that using a PSMS can be effective and result in significant reductions of serious pipeline accidents each year.”¹⁴

Section 205 of the PIPES Act of 2020 directed the Secretary to submit to Congress a report describing the progress of gas distribution pipeline operators with respect to implementation of API RP 1173 and the feasibility of natural gas distribution

⁴ NTSB, PAR–12/01, *Enbridge Incorporated Hazardous Liquid Pipeline Rupture and Release, Marshall, Michigan, July 25, 2010*, (July 10, 2012), <https://www.nts.gov/investigations/AccidentReports/Reports/PAR1201.pdf>.

⁵ NTSB, PAR–12/01, at 116–117.

⁶ Pipeline SMS Industry Team, *2016 Liquids Pipeline SMS Annual Report* (2016), <https://pipelinesms.org/wp-content/uploads/2018/04/API-Pipeline-SMS-Annual-Report-2016.pdf>.

⁷ Pipeline SMS Industry Team, *Pipeline SMS 2023 Annual Report*, at 7 (July 1, 2024), <https://pipelinesms.org/wp-content/uploads/2024/07/2023-Pipeline-SMS-Annual-Report.pdf>.

⁸ See PHMSA, *Report to Congress—Implementation of Safety Management Systems by Gas Distribution Pipeline Operators* (Aug. 2, 2024), <https://www.phmsa.dot.gov/news/report-congress-implementation-safety-management-systems-gas-distribution-pipeline-operators>.

⁹ NTSB, MIR–24–01, *Anchor Strike of Underwater Pipeline and Eventual Crude Oil Release, San Pedro Bay, Near Huntington Beach, California, October 1, 2021*, (Jan. 2, 2024), <https://www.nts.gov/investigations/AccidentReports/Reports/MIR2401.pdf>.

¹⁰ NTSB, MIR–24–01, at 84.

¹¹ NTSB, MIR–24–01, at 84.

¹² NTSB, SA–095, *Pipeline Safety Management Systems: Vital for the Safe Operations of Pipelines* (July 2024), <https://www.nts.gov/Advocacy/safety-alerts/Documents/SA-095.pdf>.

¹³ NTSB, SA–095 at 1.

¹⁴ NTSB, SA–095 at 2–3.

system operators implementing PSMS based on the size of the operator. Section 205 further directed the Secretary and the State authorities with a certification in effect to promote and to assess pipeline safety management system frameworks developed by operators of natural gas distribution systems. PHMSA is delegated with carrying out this mandate.

PHMSA submitted that report to Congress on August 2, 2024. The report concluded, among other things, that:

With respect to [gas distribution] operators whose leadership have demonstrated a tangible commitment to implementing a PSMS, there is a clear trend for larger operator's PSMS efforts to be reported as "on-track," which accounts for roughly two-thirds of the largest category of operators. However, more than one-half of the smallest category of operators reported that their PSMS efforts best fit the "stalled" characterization. Based on the data [collected by PHMSA from the operators to prepare the report] . . . small operators are much less likely to implement a PSMS than large operators. . . . Although the API RP 1173 framework is intended to be scalable for pipeline operators of varying size and scope, and the essential elements of the framework apply to organizations of any size or sophistication, it appears that very small operators need additional guidance to realize the benefits of implementing a PSMS. PHMSA recommend[ed] that the American Gas Association and the American Public Gas Association continue to promote the implementation of a PSMS and provide guidance to their members, particularly the smaller operators to assist them in realizing the value of implementing a PSMS program. PHMSA will continue to work with its state partners to promote PSMS implementation by all operators. PHMSA will also continue participating on API's task group reviewing the current API RP 1173 to develop a revision that provides additional guidance to smaller operators, enabling them to implement a size-scaled PSMS program.¹⁵

Major pipeline accidents with serious consequences are rare in this country; but, when they occur, they are generally because of an alignment of weaknesses or failures across multiple activities. To manage the safety of complex processes involved in the design, installation, operation, and maintenance throughout the life cycle of a pipeline, coordinated actions to address multiple dynamic activities and circumstances are required. PSMS, coupled with a strong safety culture, enables operators to identify and to analyze hazards proactively and to manage the associated risks to prevent harm to

people and the environment, and, ultimately, to reach both PHMSA's and the industry's goal of zero incidents.

PHMSA believes that it is in the best interest of safety that operators build and maintain a strong safety culture. A pipeline operator's culture comprises, among other things, the everyday attitudes, values, norms, and beliefs with respect to risk, safety, and environmental protection shared throughout the organization by leaders and employees of all levels. Operators can continuously strengthen their safety culture by establishing safety as a core value and, more importantly, through their everyday actions. Maintaining a strong safety culture requires operators to address safety issues proactively, and to understand and to address threats against the operator's safety culture, such as complacency, fear of reprisal, overconfidence, and normalization of deviance. Implementing a well-designed PSMS strengthens an operator's safety culture. Each element of PSMS supports safety culture and the culture feeds back into PSMS in a continuous process. This results in a strong and positive safety culture, an increasingly mature PSMS, and enhanced pipeline safety. Building and nurturing a strong safety culture helps achieve the best safety outcomes. API RP 1173 provides several examples of a positive safety culture that should be considered by all operators.¹⁶

PHMSA is issuing this advisory bulletin to help promote the benefits of PSMS more broadly, and to encourage regulated pipeline owners and operators to implement PSMS based on API RP 1173 voluntarily as part of their efforts to build and to maintain a strong safety culture that improves the safety performance of their systems.¹⁷ Guidance and advisory bulletins are not rules; are not meant to bind the public in any way; and do not assign duties, create legally enforceable rights, or impose new obligations that are not otherwise contained in regulations.

II. Advisory Bulletin (ADB-2025-01)

To: Owners and Operators of Regulated Pipelines.

Subject: Pipeline Safety Management System.

Advisory: PHMSA is issuing this advisory bulletin to promote and to

encourage regulated pipeline owners and operators in developing and implementing a pipeline safety management system (PSMS) based on a framework such as the one detailed in the American Petroleum Institute's (API) Recommended Practice (RP) 1173: Pipeline Safety Management Systems (API RP 1173). This is consistent with section 205 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (Pub. L. 116-260),¹⁸ which directed the Secretary of Transportation to "promote" the implementation of pipeline safety management systems by pipeline operators, and the National Transportation Safety Board's (NTSB) Safety Recommendation P-24-002. This advisory bulletin promotes the implementation of PSMSs to improve the safety performance of the Nation's pipeline system continually to protect the public from the risks associated with pipelines.

The contents of this advisory bulletin do not have the force and effect of law. They are not meant to bind operators nor the public in any way.

API RP 1173 provides a PSMS framework that builds upon an operator's existing practices with particular emphasis on proactively looking for safety gaps, encouraging the non-punitive reporting of safety issues, and promptly responding to those issues. API RP 1173 emphasizes clarifying the safety roles and responsibilities of leadership, top management, and employees at all levels throughout the operator's organization, including contractor support. PSMS, underpinned by a strong safety culture, makes safety programs and processes more effective to help prevent pipeline accidents.

The 10 essential elements of PSMSs outlined in API RP 1173, and the principles underlying them, apply to operators of any size and complexity. The complexity of a pipeline operator's PSMS program should be appropriate for the size of their operations and the risks their systems pose to the public and environment.

PHMSA encourages the voluntary adoption of PSMS based on a framework such as the one detailed in API RP 1173, as PHMSA believes developing and implementing PSMS would be an effective way to enhance pipeline safety systematically. PHMSA shares NTSB's view that a voluntarily adopted PSMS program can ensure pipelines are designed, constructed, operated, and maintained in a way that complies with

¹⁶ API RP 1173: Pipeline Safety Management Systems, at xi, 7, 8, 10, 16, and 21 (First ed., reaffirmed April 2023).

¹⁷ PHMSA also notes that the current NTSB Chair has supported the voluntary adoption of PSMS by the owners and operators of PHMSA-regulated pipelines. Statement of Jennifer Homendy, Panel at 2024 Pipeline Safety Trust Conference (Nov. 21, 2024), 24:19 to 29:44 and 36:15-36:30, available at <https://youtu.be/OdlbjKZMYAY?si=VahlyvqRpGhsl8G>.

¹⁸ See 49 U.S.C. 60103 note.

¹⁵ PHMSA, *Report to Congress—Implementation of Safety Management Systems by Gas Distribution Pipeline Operators* (Aug. 2, 2024), <https://www.phmsa.dot.gov/news/report-congress-implementation-safety-management-systems-gas-distribution-pipeline-operators>.

more than just the minimum safety standards found in regulations.

For the reasons noted herein, PHMSA strongly encourages regulated pipeline owners and operators to take the following actions to strengthen their pipeline safety programs:

- Implement a PSMS program and ensure that the program covers all essential elements of an effective PSMS, such as those in API RP 1173.
- Ensure the PSMS program continuously evolves and improves.
- Maintain a positive safety culture that continually promotes diligence throughout the operator's organization and addresses issues that can erode the safety culture.

Issued in Washington, DC, on March 19, 2025, under authority delegated in 49 CFR 1.97.

Linda Daugherty,

Acting Associate Administrator for Pipeline Safety.

[FR Doc. 2025-04960 Filed 3-24-25; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons and vessels that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. The vessels placed on the SDN List have been identified as property in which a blocked person has an interest.

DATES: This action was issued on March 20, 2025. See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202-622-2420; Assistant Director for Licensing, 202-622-2480; Assistant Director for Sanctions Compliance, 202-622-2490 or <https://ofac.treasury.gov/contact-ofac>.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: <https://ofac.treasury.gov>.

Notice of OFAC Action

On March 20, 2025, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

BILLING CODE 4810-AL-P

Individual:

1. WANG, Xueqing (Chinese Simplified: 王学清) (a.k.a. WANG, Xue Qing), China; DOB 08 Sep 1967; nationality China; Gender Male; Passport E79857433 (China) expires 26 Apr 2026; National ID No. 370723196709082538 (China) (individual) [IRAN-EO13902] (Linked To: SHANDONG SHOUGUANG LUQING PETROCHEMICAL CO., LTD.).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 of January 10, 2020, "Imposing Sanctions With Respect to Additional Sectors of Iran," 85 FR 2003, 3 CFR, 2020 Comp., p. 299 (E.O. 13902), for having acted or purported to act for or on behalf of, directly or indirectly, SHANDONG SHOUGUANG LUQING PETROCHEMICAL CO., LTD.

Entities:

1. ASTRID MENKS LIMITED, Room 1D, 2nd Floor, Fu Tao Building, 98, Argyle Street, Kowloon, Hong Kong, China; Organization Established Date 16 May 2022; Identification Number IMO 6362274; Company Number 3152869 (Hong Kong); Business Registration Number 74045125 (Hong Kong) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

2. CANES VENATICI LIMITED, Room 511, 5th Floor, Ming Sang Industrial Building, 19-21, Hing Yip Street, Kwun Tong, Kowloon, Hong Kong, China; Rm A516 5/F Efficiency HSE, San Po Kong, Hong Kong, China; Organization Established Date 28 Jun 2022; Identification Number IMO 6354393; Company Number 3166681 (Hong Kong); Business Registration Number 74184377 (Hong Kong) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

3. SHANDONG SHOUGUANG LUQING PETROCHEMICAL CO., LTD. (Chinese Simplified: 山东寿光鲁清石化有限公司), Bohai Industrial Park, Shouguang, Shandong 262715, China; Organization Established Date 01 Aug 2000; Organization Code 724809024 (China); Legal Entity Number 300300OD0XCAZXQDEK71; Registration Number 370783228001060 (China); Unified Social Credit Code (USCC) 91370783724809024G (China) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

4. ZENITH BRIDGE INC, Office E, 20th Floor, Global Plaza Building, Calle 50, Panama City, Panama; Organization Established Date 30 Aug 2024; Identification Number IMO 0052848; Commercial Registry Number 155756205 (Panama) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

5. BRITNEY RYDER LIMITED (a.k.a. BRITNEY RYDER LTD), Rm A516 5/F Efficiency HSE, San Po Kong, Hong Kong, China; Organization Established Date 27 May 2022; Identification Number IMO 6339741; Business Registration Number 74087357 (Hong Kong) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

6. CITYWALLSHIP MANAGEMENT CO LTD, Room 1610, 16th Floor, Building A, World Trade Center, Xianggang Zhonglu, Shinan Qu, Qingdao, Shandong, China; Identification Number IMO 6488219 [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

7. JETEE CO., LIMITED (a.k.a. JETEE CO LTD), Room 104, Unit 1, Building 1, 153, Gangpu Lu, Zhongshan Qu, Dalian, Liaoning, China; Rm A516 5/F Efficiency HSE, San Po Kong, Hong Kong, China; Organization Established Date 05 May 2022; Identification Number IMO 6318210; Business Registration Number 74014358 (Hong Kong) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

8. PLACENCIA SERVICES INCORPORATION, Liberia; Identification Number IMO 6487533 [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

9. SEAPALM SHIPPING LIMITED, PO Box 1137, Victoria, Mahe Island, Seychelles; Organization Established Date 2020; Identification Number IMO 6347414 [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

10. LYRARI GROUP LTD, Hudsun Chambers, P.O. Box 986, Road Town, Tortola, Virgin Islands, British; Organization Established Date 2023; Identification Number IMO 6466926 [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

11. SEA BREEZE SHIPPING INC, Global Plaza, Calle 50, Panama City, Panama; Organization Established Date 17 Jul 2024; Identification Number IMO 0014181; Commercial Registry Number 155754383 (Panama) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

12. SETASEAN SHIP MANAGEMENT LIMITED (a.k.a. SETASEAN SHIP MANAGEMENT LTD), 917B, 9th Floor, Block A, New Mandarin Plaza, 14, Science Museum Road, Tsim Sha Tsui East, Kowloon, Hong Kong, China; Organization Established Date 22 Jan 2024; Identification Number IMO 6472859; Company Number 3361541 (Hong Kong); Business Registration Number 76149173 (Hong Kong) [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.

On March 20, 2025, OFAC also identified the following vessels as property in which a blocked person has an interest under the relevant sanctions authority listed below.

Vessels:

1. CATALINA 7 (3E4129) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9310159; MMSI 352001485 (vessel) [IRAN-EO13902] (Linked To: CANES VENATICI LIMITED).

Identified as property in which CANES VENATICI LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

2. NATALINA 7 (D6A3622) Crude Oil Tanker Comoros flag; Vessel Registration Identification IMO 9310147; MMSI 620999608 (vessel) [IRAN-EO13902] (Linked To: ASTRID MENKS LIMITED).

Identified as property in which ASTRID MENKS LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

3. BRAVA LAKE (8P2225) Crude Oil Tanker Barbados flag; Vessel Registration Identification IMO 9232876; MMSI 314867000 (vessel) [IRAN-EO13902] (Linked To: ZENITH BRIDGE INC).

Identified as property in which ZENITH BRIDGE INC, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

4. MONTROSE (T7BJ4) Crude Oil Tanker San Marino flag; Vessel Registration Identification IMO 9281695; MMSI 268240502 (vessel) [IRAN-EO13902] (Linked To: PLACENCIA SERVICES INCORPORATION).

Identified as property in which PLACENCIA SERVICES INC, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

5. TITAN (TJ03M) Crude Oil Tanker Unknown flag; Vessel Registration Identification IMO 9293741 (vessel) [IRAN-EO13902] (Linked To: SEAPALM SHIPPING LIMITED).

Identified as property in which SEAPALM SHIPPING LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

6. VOLANS (a.k.a. NEW MILOS) (8PDO3) Crude Oil Tanker Barbados flag; Vessel Registration Identification IMO 9422988; MMSI 314679000 (vessel) [IRAN-EO13902] (Linked To: BRITNEY RYDER LIMITED).

Identified as property in which BRITNEY RYDER LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

7. AURORA RILEY (HPKT) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9181649; MMSI 356024000 (vessel) [IRAN-EO13902] (Linked To: LYRARI GROUP LTD).

Identified as property in which LYRARI GROUP LTD, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

8. VIOLA (3EHD8) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9254915; MMSI 354951000 (vessel) [IRAN-EO13902] (Linked To: SEA BREEZE SHIPPING INC).

Identified as property in which SEA BREEZE SHIPPING INC, a person whose property and interests in property are blocked pursuant to E.O. 13902, has an interest.

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2025-05028 Filed 3-24-25; 8:45 am]

BILLING CODE 4810-AL-C

DEPARTMENT OF VETERANS AFFAIRS

Veterans and Survivors Pension and Parents' Dependency and Indemnity Compensation (DIC) Cost of Living Adjustments (COLA)

AGENCY: Department of Veterans Affairs (VA).

ACTION: Notice.

SUMMARY: As required by law, VA is hereby giving notice of COLA in certain benefit rates and income limitations. These COLAs affect the Pension and Parents' DIC programs. The rate of the adjustment is tied to the increase in Social Security benefits effective December 1, 2024, as announced by the Social Security Administration (SSA). SSA has announced an increase of 2.5%.

DATES: The COLAs became effective December 1, 2024.

FOR FURTHER INFORMATION CONTACT: Michael Holovacs, Management and Program Analyst, Pension and Fiduciary Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, 202-632-8863. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Under the provisions of 38 U.S.C. 5312 and Public Law (Pub. L.) 95-588 sec. 306, VA is required to increase the benefit rates and income limitations in the Pension and Parents' DIC programs by the same percentage, and effective the same date, as increases in the benefit amounts payable under Title II of the Social Security Act. VA is required to publish the increased rates and income limitations in the **Federal Register**.

The Social Security Administration announced a 2.5% COLA increase in

Social Security benefits effective December 1, 2024. Therefore, applying the same percentage and rounding in accordance with 38 CFR 3.29, the following increased rates and income limitations for the VA Pension and Parents' DIC programs became effective December 1, 2024:

Pension

Maximum Annual Rates—Veterans

(1) Veterans permanently and totally disabled (38 U.S.C. 1521):

Veteran with no dependents, \$16,965.

Veteran with one dependent, \$22,216.

For each additional dependent, \$2,902.

(2) Veterans in need of aid and attendance (38 U.S.C. 1521):

Veteran with no dependents, \$28,300.

Veteran with one dependent, \$33,548.

For each additional dependent, \$2,902.

(3) Veterans who are housebound (38 U.S.C. 1521):

Veteran with no dependents, \$20,732.

Veteran with one dependent, \$25,982.

For each additional dependent, \$2,902.

(4) Two Veterans married to one another, combined rates (38 U.S.C. 1521):

Neither Veteran in need of aid and attendance or housebound, \$22,216.

Either Veteran in need of aid and attendance, \$33,548.

Both Veterans in need of aid and attendance, \$44,886.

Either Veteran housebound, \$25,982.

Both Veterans housebound, \$29,747.

One Veteran housebound and one Veteran in need of aid and attendance, \$37,305.

For each dependent child, \$2,902.

(5) Net worth limit under 38 CFR 3.274(a):

For purposes of entitlement to VA pension, the net worth limit effective December 1, 2024, is \$159,240.

(6) Monthly Penalty Rate under 38 CFR 3.276(e)(1):

The monthly penalty rate is \$2,795.

Mexican border period and World War I Veterans: The applicable

maximum annual rate payable to a Mexican border period or World War I Veteran under this table shall be the applicable rate under paragraph (1)–(4), increased by \$3,857. (38 U.S.C. 1521(g)).

Maximum Annual Rates—Survivor Beneficiaries

(7) Surviving spouse alone and with a child or children of the deceased Veteran in custody of the surviving spouse (38 U.S.C. 1541):

Surviving spouse alone, \$11,380.

Surviving spouse and one child in his or her custody, \$14,893.

For each additional child in his or her custody, \$2,902.

(8) Surviving spouses in need of aid and attendance (38 U.S.C. 1541, 1536):

Surviving spouse alone, \$18,187.

Surviving spouse with one child in custody, \$21,696.

Surviving Spouse of Spanish-American War Veteran alone, \$18,923.

Surviving Spouse of Spanish-American War Veteran with one child in custody, \$22,353.

For each additional child in his or her custody, \$2,902.

(9) Surviving spouses who are housebound (38 U.S.C. 1541):

Surviving spouse alone, \$13,908.

Surviving spouse and one child in his or her custody, \$17,414.

For each additional child in his or her custody, \$2,902.

(10) Surviving child alone (38 U.S.C. 1542), \$2,902.

(11) Net worth limit under 38 CFR 3.274(a):

For purposes of entitlement to VA pension, the net worth limit effective December 1, 2024, is \$159,240.

(12) Monthly Penalty Rate under 38 CFR 3.276(e)(1):

If we determine you're subject to a pension penalty, we wouldn't pay pension benefits during the penalty period.

Section 306 Pension Income Limitations

Veteran or surviving spouse with no dependents, \$19,295 (Pub. L. 95-588 sec. 306(a)).

Veteran in need of aid and attendance with no dependents, \$19,990 (38 U.S.C.

1521(d) as in effect on December 31, 1978).

Veteran or surviving spouse with one or more dependents, \$25,936 (Pub. L. 95-588 sec. 306(a)).

Veteran in need of aid and attendance with one or more dependents, \$26,628 (38 U.S.C. 1521(d) as in effect on December 31, 1978).

Child (no entitled Veteran or surviving spouse), \$15,778 (Pub. L. 95-588, sec. 306(a)).

Spouse income exclusion (38 CFR 3.262), \$6,164 (Pub. L. 95-588, sec. 306(a)(2)(B)).

Old-Law Pension Income Limitations

Veteran or surviving spouse without dependents or an entitled child, \$16,898 (Pub. L. 95-588, sec. 306(b)).

Veteran or surviving spouse with one or more dependents, \$24,351 (Pub. L. 95-588, sec. 306(b)).

Parents' DIC

DIC shall be paid monthly to parents of a deceased Veteran in the following amounts (38 U.S.C. 1315):

One parent (38 U.S.C. 1315(b)): If there is only one parent, the monthly rate of DIC paid to such parent shall be \$819, reduced on the basis of the parent's annual income according to the following formula:

For each \$1 of annual income which is more than \$0.00 but not more than \$800, the \$819 monthly rate shall not be reduced.

For each \$1 of annual income which is more than \$800 but not more than \$10,974, the monthly rate shall be reduced by \$0.08.

For each \$1 of annual income which is more than \$10,974, the monthly rate will not be reduced.

No Parents' DIC is payable under this table if annual income exceeds \$19,295.

One parent who has remarried: If there is only one parent and the parent

has remarried and is living with the parent's spouse, DIC shall be paid under 38 U.S.C. 1315(b) or under 38 U.S.C. 1315(d), whichever shall result in the greater benefit being paid to the Veteran's parent. In the case of remarriage, the total combined annual income of the parent and the parent's spouse shall be counted in determining the monthly rate of DIC.

One of two parents not living with spouse (38 U.S.C. 1315(c)): The rates below apply to (1) two parents who are not living together, or (2) an unmarried parent when both parents are living and the other parent has remarried. The monthly rate of DIC paid to each such parent shall be \$594 reduced on the basis of each parent's annual income, according to the following formula:

For each \$1 of annual income which is more than \$0 but not more than \$800, the \$594 monthly rate shall not be reduced.

For each \$1 of annual income which is more than \$800 but not more than \$8,162, the monthly rate shall be reduced by \$0.08.

For each \$1 of annual income which is more than \$8,162, the monthly rate shall not be reduced.

No Parents' DIC is payable under this table if annual income exceeds \$19,295.

One of two parents living with spouse or other parent (38 U.S.C. 1315(d)): The rates below apply to each parent living with another parent; and each remarried parent, when both parents are alive. The monthly rate of DIC paid to such parents will be \$560 reduced on the basis of the combined annual income of the two parents living together or the remarried parent or parents and spouse or spouses, as computed under the following formula:

For each \$1 of annual income which is more than \$0 but not more than

\$1,000, the \$560 monthly rate shall not be reduced.

For each \$1 of annual income which is more than \$1,000 but not more than \$7,937, the monthly rate shall be reduced by \$0.08.

For each \$1 of annual income which is more than \$7,937, the monthly rate shall not be reduced.

No Parents' DIC is payable if the annual income exceeds \$25,936.

These rates are also applicable in the case of one surviving parent who has remarried, computed on the basis of the combined income of the parent and spouse, if this would be a greater benefit than that specified in the rates for 38 U.S.C. 1315(b) for one parent.

Aid and attendance: The monthly rate of DIC payable to a parent per the guidelines above shall be increased by \$445 if such parent is (1) a patient in a nursing home, or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Minimum rate: The monthly rate of DIC payable to any parent shall not be less than \$5.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved and signed this document on February 26, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Consuela Benjamin,

Regulations Development Coordinator, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

[FR Doc. 2025-05027 Filed 3-24-25; 8:45 am]

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FEDERAL REGISTER

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Part II

The President

Executive Order 14240—Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement

Executive Order 14241—Immediate Measures To Increase American Mineral Production

Executive Order 14242—Improving Education Outcomes by Empowering Parents, States, and Communities

Executive Order 14243—Stopping Waste, Fraud, and Abuse by Eliminating Information Silos

Memorandum of March 20, 2025—Strengthening the Suitability and Fitness of the Federal Workforce

Presidential Documents

Title 3—

Executive Order 14240 of March 20, 2025

The President

Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement

Section 1. Policy. The Federal Government spends approximately \$490 billion per year on Federal contracts for common goods and services—the types of goods and services purchased by nearly every executive department and agency (agencies)—making it the largest buyer of goods and services in the world. As a matter of sound management, these standardized procurement functions should be carried out in the most efficient and effective manner possible for the American taxpayer.

The General Services Administration was established in 1949 through the Federal Property and Administrative Services Act, 40 U.S.C. 101 *et seq.*, to provide “an economical and efficient system” for the core procurement services for agencies (40 U.S.C. 101). It is time to return the General Services Administration to its original purpose, rather than continuing to have multiple agencies and agency subcomponents separately carry out these same functions in an uncoordinated and less economical fashion.

Consolidating domestic Federal procurement in the General Services Administration—the agency designed to conduct procurement—will eliminate waste and duplication, while enabling agencies to focus on their core mission of delivering the best possible services for the American people.

Sec. 2. Definitions. For the purposes of this order:

- (a) “Administrator” means the Administrator of General Services.
- (b) “Agency” has the meaning given to it in section 3502 of title 44, United States Code, except that such term does not include the Executive Office of the President or any components thereof.
- (c) “Agency head” means the highest-ranking official of an agency, such as the Secretary, Administrator, Chairman, or Director.
- (d) “Common goods and services” means the common Government-wide categories defined by the Category Management Leadership Council led by the Office of Management and Budget (OMB).
- (e) “Indefinite delivery contract vehicle” means an agreement through which an agency can order goods and services over a defined period without setting forth quantities or a delivery schedule up front.

Sec. 3. Procurement Consolidation. (a) Within 60 days of the date of this order, agency heads shall, in consultation with the agency’s senior procurement officials, submit to the Administrator proposals, pursuant to 40 U.S.C. 101, 40 U.S.C. 501, or other relevant authorities, to have the General Services Administration conduct domestic procurement with respect to common goods and services for the agency, where permitted by law.

(b) Within 90 days of the date of this order, the Administrator shall submit a comprehensive plan to the Director of OMB for the General Services Administration to procure common goods and services across the domestic components of the Government, where permitted by law.

(c) Within 30 days of the date of this order, pursuant to the authority in 40 U.S.C. 11302(e), the Director of OMB shall designate the Administrator as the executive agent for all Government-wide acquisition contracts for information technology. The Administrator, in consultation with the Director

of OMB, shall defer or decline the executive agent designation for Government-wide acquisition contracts for information technology when necessary to ensure continuity of service or as otherwise appropriate. The Administrator shall further, on an ongoing basis and consistent with applicable law, rationalize Government-wide indefinite delivery contract vehicles for information technology for agencies across the Government, including as part of identifying and eliminating contract duplication, redundancy, and other inefficiencies.

(d) Within 14 days of the date of this order, the Director of OMB shall issue a memorandum to agencies implementing subsection (c) of this section.

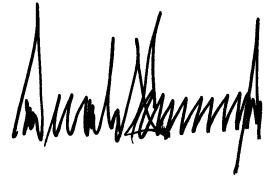
Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(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.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.

THE WHITE HOUSE,
Washington, March 20, 2025.

Presidential Documents

Executive Order 14241 of March 20, 2025

Immediate Measures To Increase American Mineral Production

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered:

Section 1. Purpose. The United States possesses vast mineral resources that can create jobs, fuel prosperity, and significantly reduce our reliance on foreign nations. Transportation, infrastructure, defense capabilities, and the next generation of technology rely upon a secure, predictable, and affordable supply of minerals. The United States was once the world's largest producer of lucrative minerals, but overbearing Federal regulation has eroded our Nation's mineral production. Our national and economic security are now acutely threatened by our reliance upon hostile foreign powers' mineral production. It is imperative for our national security that the United States take immediate action to facilitate domestic mineral production to the maximum possible extent.

Sec. 2. Definitions. For the purposes of this order:

(a) "Mineral" means a critical mineral, as defined by 30 U.S.C. 1606(a)(3), as well as uranium, copper, potash, gold, and any other element, compound or material as determined by the Chair of the National Energy Dominance Council (NEDC).

(b) "Mineral production" means the mining, processing, refining, and smelting of minerals, and the production of processed critical minerals and other derivative products.

(c) The term "processed minerals" refers to minerals that have undergone the activities that occur after mineral ore is extracted from a mine up through its conversion into a metal, metal powder, or a master alloy. These activities specifically occur beginning from the point at which ores are converted into oxide concentrates, separated into oxides, and converted into metals, metal powders, and master alloys.

(d) The term "derivative products" includes all goods that incorporate processed minerals as inputs. These goods include semi-finished goods (such as semiconductor wafers, anodes, and cathodes) as well as final products (such as permanent magnets, motors, electric vehicles, batteries, smartphones, microprocessors, radar systems, wind turbines and their components, and advanced optical devices).

Sec. 3. Priority Projects. (a) Within 10 days of the date of this order, the head of each executive department and agency (agency) involved in the permitting of mineral production in the United States shall provide to the Chair of the NEDC a list of all mineral production projects for which a plan of operations, a permit application, or other application for approval has been submitted to such agency. Within 10 days of the submission of such lists, the head of each such agency shall, in coordination with the Chair of the NEDC, identify priority projects that can be immediately approved or for which permits can be immediately issued, and take all necessary or appropriate actions within the agency's authority to expedite and issue the relevant permits or approvals.

(b) Within 15 days of the date of this order, the Chair of the NEDC, in consultation with the heads of relevant agencies, shall submit to the

Executive Director of the Permitting Council mineral production projects to be considered as transparency projects on the Permitting Dashboard established under section 41003 of title 41 of the Fixing America's Surface Transportation Act, Public Law 114–94, 129 Stat. 1748. Within 15 days of receiving the submission, the Executive Director shall publish any projects selected and establish schedules for expedited review.

(c) The Chair of the NEDC, in consultation with relevant agencies, shall issue a request for information to solicit industry feedback on regulatory bottlenecks and other recommended strategies for expediting domestic mineral production.

Sec. 4. *Mining Act of 1872.* Within 30 days of the date of this order, the Chair of the NEDC and the Director of the Office of Legislative Affairs shall jointly prepare and submit recommendations to the President for the Congress to clarify the treatment of waste rock, tailings, and mine waste disposal under the Mining Act of 1872.

Sec. 5. *Land Use for Mineral Projects.* (a) Within 10 days of the date of this order, the Secretary of the Interior shall identify and provide the Assistant to the President for Economic Policy and the Assistant to the President for National Security Affairs with a list of all Federal lands known to hold mineral deposits and reserves. The Secretary of the Interior shall prioritize mineral production and mining related purposes as the primary land uses in these areas, consistent with applicable law. Land use plans under the Federal Land Policy and Management Act shall provide for mineral production and ancillary uses, and be amended or revised as necessary, to support the intent of this order.

(b) Within 30 days of the date of this order, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Energy shall identify as many sites as possible on Federal land managed by their respective agencies that may be suitable for leasing or development pursuant to 10 U.S.C. 2667, 42 U.S.C. 7256, or other applicable authorities, for the construction and operation of private commercial mineral production enterprises and provide such list to the Assistant to the President for Economic Policy, the Assistant to the President for National Security Affairs, and the Chair of the NEDC. The Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Energy shall prioritize including sites on such lists on which mineral production projects could be fully permitted and operational as soon as possible and have the greatest potential effect on robustness of the domestic mineral supply chain.

(c) The Secretary of Defense and the Secretary of Energy shall enter into extended use leases as authorized by 10 U.S.C. 2667 or by 42 U.S.C. 7256(a) respectively, or using any other authority they deem appropriate, with private entities to advance the installation of commercial mineral production enterprises on the lands identified pursuant to subsection (b) of this section. The installation of such commercial mineral production enterprises may be accomplished through development and construction or via modification of existing structures to be compatible with commercial requirements.

(d) Within 30 days of the date of this order, the Secretary of Defense and the Secretary of Energy shall coordinate with the Secretary of Agriculture, the Administrator of the Small Business Administration, and the head of any other agency that provides or can provide loans, capital assistance, technical assistance, and working capital to domestic mineral production project sponsors to ensure that all private parties who enter into lease and commercial agreements under subsection (c) of this section can utilize as many favorable terms and conditions as are available under public assistance programs for these purposes, consistent with applicable law.

Sec. 6. *Accelerating Private and Public Capital Investment.* (a) The Secretary of Defense shall utilize the National Security Capital Forum to facilitate

the introduction of entities to pair private capital with commercially viable domestic mineral production projects to the maximum possible extent.

(b) To address the national emergency declared pursuant to Executive Order 14156 of January 20, 2025 (Declaring a National Energy Emergency), I hereby waive the requirements of 50 U.S.C. 4533(a)(1) through (a)(6). By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of Defense the authority of the President conferred by section 303 of the Defense Production Act (DPA) (50 U.S.C. 4533). The Secretary of Defense may use the authority under section 303 of the DPA, in consultation with the Secretary of the Interior, the Secretary of Energy, the Chair of the NEDC, and the heads of other agencies as the Secretary of Defense deems appropriate, for the domestic production and facilitation of strategic resources the Secretary of Defense deems necessary or appropriate to advance domestic mineral production in the United States. Further, within 30 days of the date of this order, the Secretary of Defense shall add mineral production as a priority industrial capability development area for the Industrial Base Analysis and Sustainment Program.

(c) Agencies that are empowered to make loans, loan guarantees, grants, equity investments, or to conclude offtake agreements to advance national security in securing vital mineral supply chains, both domestically and abroad, shall, to the extent permitted by law, take steps to rescind any policies that require an applicant to complete and submit to the agency as part of an application for such funds the disclosures that are required by Regulation S-K part 1300.

(d) To address the national emergency declared pursuant to Executive Order 14156, I hereby waive the requirements of 50 U.S.C. 4531(d)(1)(a)(ii), 4332(d)(1)(B), and 4533(a)(1) through (a)(6). By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Chief Executive Officer (CEO) of the United States International Development Finance Corporation (DFC) the authority of the President conferred by sections 301, 302, and 303 of the DPA (50 U.S.C. 4531, 4532, and 4533), and the authority to implement the DPA in 50 U.S.C. 4554, 4555, 4556, and 4560. The CEO of the DFC may use the authority under sections 301, 302 and 303 of the DPA, in consultation with the Secretary of Defense, the Secretary of the Interior, the Secretary of Energy, the Chair of the NEDC, and the heads of other agencies as the CEO deems appropriate, for the domestic production and facilitation of strategic resources the CEO deems necessary or appropriate to advance mineral production. The loan authority delegated by this order is limited to loans that create, maintain, protect, expand, or restore domestic mineral production. Loans, loan guarantees, and political risk insurance extended using the authority delegated by this subsection shall be made in accordance with the principles and guidelines outlined in the Office of Management and Budget (OMB) Circular A-11 and OMB Circular A-129, in each case subject to such exceptions as the Director of OMB grants, and the Federal Credit Reform Act of 1990, as amended (2 U.S.C. 661 *et seq.*). The CEO of the DFC, in coordination with the Director of OMB, shall adopt appropriate rules and regulations as may be necessary to implement this order in coordination with the Assistant to the President for Economic Policy.

(e) Within 30 days of the date of this order, the CEO of the DFC and the Secretary of Defense shall develop and propose a plan to the Assistant to the President for National Security Affairs for the DFC to use Department of Defense investment authorities (including the DPA) and the Department of Defense Office of Strategic Capital to establish a dedicated mineral and mineral production fund for domestic investments executed by the DFC. Any such fund shall be implemented pursuant to such plan only after approval by each of the Secretary of Defense, the CEO of the DFC, and the Assistant to the President for National Security Affairs. Pursuant to

the reimbursement authorities in the Economy Act, the Secretary of Defense shall transfer to the DFC any appropriated funds from the Defense Production Act Fund or from the Office of Strategic Capital necessary to reimburse the DFC in connection with its services performed on behalf of and in coordination with the Department of Defense to implement subsection (d) of this section and this subsection. In connection with such reimbursements, the Secretary of Defense shall direct the Under Secretary of Defense (Comptroller) to defer to the credit and underwriting policies of the DFC with respect to the use of such funds by the DFC.

(f) Within 30 days of the date of this order, the President of the Export-Import Bank shall release recommended program guidance for the use of mineral and mineral production financing tools authorized under the Supply Chain Resiliency Initiative to secure United States offtake of global raw mineral feedstock for domestic minerals processing, as well as under the Make More in America Initiative to support domestic mineral production.

(g) Within 30 days of the date of this order, the Assistant Secretary of Defense for Industrial Base Policy shall convene buyers of minerals and work towards an announced request for bids to supply the minerals.

(h) Within 45 days of the date of this order, the Administrator of the Small Business Administration shall prepare and submit through the Assistant to the President for Economic Policy recommendations for legislation to enhance private-public capital activities to support financings to domestic small businesses engaged in mineral production. The Administrator of the Small Business Administration shall further take steps to promulgate such regulations, rules, and guidance as the Administrator determines are necessary or appropriate for such purposes.

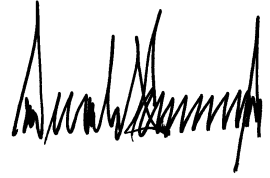
Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(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.

A handwritten signature in black ink, appearing to be a stylized name, possibly 'Donald Trump', written in a cursive script.

THE WHITE HOUSE,
Washington, March 20, 2025.

[FR Doc. 2025-05212
Filed 3-24-25; 8:45 am]
Billing code 3395-F4-P

Presidential Documents

Executive Order 14242 of March 20, 2025

Improving Education Outcomes by Empowering Parents, States, and Communities

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enable parents, teachers, and communities to best ensure student success, it is hereby ordered:

Section 1. Purpose and Policy. Our Nation's bright future relies on empowered families, engaged communities, and excellent educational opportunities for every child. Unfortunately, the experiment of controlling American education through Federal programs and dollars—and the unaccountable bureaucracy those programs and dollars support—has plainly failed our children, our teachers, and our families.

Taxpayers spent around \$200 billion at the Federal level on schools during the COVID-19 pandemic, on top of the more than \$60 billion they spend annually on Federal school funding. This money is largely distributed by one of the newest Cabinet agencies, the Department of Education, which has existed for less than one fifth of our Nation's history. The Congress created the Department of Education in 1979 at the urging of President Jimmy Carter, who received a first-ever Presidential endorsement from the country's largest teachers' union shortly after pledging to the union his support for a separate Department of Education. Since then, the Department of Education has entrenched the education bureaucracy and sought to convince America that Federal control over education is beneficial. While the Department of Education does not educate anyone, it maintains a public relations office that includes over 80 staffers at a cost of more than \$10 million per year.

Closing the Department of Education would provide children and their families the opportunity to escape a system that is failing them. Today, American reading and math scores are near historical lows. This year's National Assessment of Educational Progress showed that 70 percent of 8th graders were below proficient in reading, and 72 percent were below proficient in math. The Federal education bureaucracy is not working.

Closure of the Department of Education would drastically improve program implementation in higher education. The Department of Education currently manages a student loan debt portfolio of more than \$1.6 trillion. This means the Federal student aid program is roughly the size of one of the Nation's largest banks, Wells Fargo. But although Wells Fargo has more than 200,000 employees, the Department of Education has fewer than 1,500 in its Office of Federal Student Aid. The Department of Education is not a bank, and it must return bank functions to an entity equipped to serve America's students.

Ultimately, the Department of Education's main functions can, and should, be returned to the States.

Sec. 2. Closing the Department of Education and Returning Authority to the States. (a) The Secretary of Education shall, to the maximum extent appropriate and permitted by law, take all necessary steps to facilitate the closure of the Department of Education and return authority over education to the States and local communities while ensuring the effective and uninterrupted delivery of services, programs, and benefits on which Americans rely.

(b) Consistent with the Department of Education's authorities, the Secretary of Education shall ensure that the allocation of any Federal Department of Education funds is subject to rigorous compliance with Federal law and Administration policy, including the requirement that any program or activity receiving Federal assistance terminate illegal discrimination obscured under the label "diversity, equity, and inclusion" or similar terms and programs promoting gender ideology.

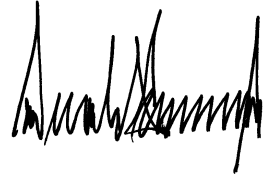
Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(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.

A handwritten signature in black ink, appearing to be the signature of Donald Trump, located on the right side of the page.

THE WHITE HOUSE,
Washington, March 20, 2025.

Presidential Documents

Executive Order 14243 of March 20, 2025

Stopping Waste, Fraud, and Abuse by Eliminating Information Silos

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. Purpose. Removing unnecessary barriers to Federal employees accessing Government data and promoting inter-agency data sharing are important steps toward eliminating bureaucratic duplication and inefficiency while enhancing the Government's ability to detect overpayments and fraud.

Sec. 2. Definitions. (a) "Agency" has the meaning given to it in section 3502 of title 44, United States Code, except that such term does not include the Executive Office of the President or any components thereof.

(b) "Agency Head" means the highest-ranking official of an agency, such as the Secretary, Administrator, or Director. With respect to multimember agencies, "Agency Head" means the Chairman or equivalent official.

Sec. 3. Eliminating Information Silos. (a) Agency Heads shall take all necessary steps, to the maximum extent consistent with law, to ensure Federal officials designated by the President or Agency Heads (or their designees) have full and prompt access to all unclassified agency records, data, software systems, and information technology systems—or their equivalents if providing access to an equivalent dataset does not delay access—for purposes of pursuing Administration priorities related to the identification and elimination of waste, fraud, and abuse. This includes authorizing and facilitating both the intra- and inter-agency sharing and consolidation of unclassified agency records.

(b) Within 30 days of the date of this order, Agency Heads shall, to the maximum extent consistent with law, rescind or modify all agency guidance that serves as a barrier to the inter- or intra-agency sharing of unclassified information specified in subsection (a) of this section. Agency Heads shall also review agency regulations governing unclassified data access, including system of records notices, and, within 30 days of the date of this order, submit a report to the Office of Management and Budget cataloging those regulations and recommending whether any should be eliminated or modified to achieve the goals set forth in this order. Regulatory modifications pursuant to this order are exempt from Executive Order 14192.

(c) Immediately upon execution of this order, Agency Heads shall take all necessary steps, to the maximum extent consistent with law, to ensure the Federal Government has unfettered access to comprehensive data from all State programs that receive Federal funding, including, as appropriate, data generated by those programs but maintained in third-party databases.

(d) Immediately upon execution of this order and without limiting the above directives, the Secretary of Labor and the Secretary's designees shall receive, to the maximum extent consistent with law, unfettered access to all unemployment data and related payment records, including all such data and records currently available to the Department of Labor's Office of Inspector General.

(e) This order supersedes any prior Executive Orders and rules or regulations subject to direct Presidential rulemaking authority to the extent they

serve as a barrier to the inter- or intra-agency sharing of unclassified information as specified in this order.

(f) Agency Heads shall conduct a review of classified information policies to determine whether they result in the classification of materials beyond what is necessary to protect critical national security interests and, within 45 days of the date of this order, submit a report to the Office of Management and Budget cataloguing those classified information policies and recommending whether any should be eliminated or modified to achieve the goals set forth in this order.

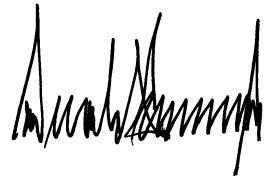
Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(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.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.

THE WHITE HOUSE,
Washington, March 20, 2025.

Presidential Documents

Memorandum of March 20, 2025

Strengthening the Suitability and Fitness of the Federal Workforce

Memorandum for the Director of the Office of Personnel Management

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. Delegation of Authority to Make Suitability Determinations and Required Rulemaking. (a) The Director of the Office of Personnel Management (OPM) is delegated the authority to make final suitability determinations and take suitability actions regarding employees in the executive branch based on post-appointment conduct, consistent with applicable law. In this context, a suitability action can include a directive by OPM to the head of an executive department or agency (agency) to remove an employee who does not meet the suitability criteria defined in OPM's regulations.

(b) The Director of OPM shall propose regulations, consistent with applicable law, amending Part 731 of title 5, Code of Federal Regulations, to account for the delegation described in subsection (a) of this section and to implement appropriate rules and procedures regarding suitability determinations and suitability actions based on post-appointment conduct. The delegation described in subsection (a) of this section shall not be effective until the completion of this rulemaking.

(c) In drafting the regulations described in subsection (b) of this section, the Director of OPM shall consider requiring that an employing agency must make a referral to OPM in order for the Director of OPM to make a final suitability determination and take a suitability action regarding an employee based on post-appointment conduct.

(d) The regulations described in subsection (b) of this section shall additionally propose that, consistent with Civil Service Rule 5.3, if the Director of OPM issues specific instructions as to separation or other corrective action with regard to an employee, including cancellation of a personnel action, the head of the agency concerned shall comply with the Director of OPM's instructions within 5 work days of the final decision.

Sec. 2. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

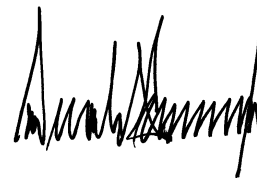
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

(c) This memorandum 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.

(d) The Director of OPM is authorized and directed to publish this memorandum in the *Federal Register*.

A handwritten signature in black ink, appearing to be a stylized name, possibly "Donald Trump", written in a cursive style.

THE WHITE HOUSE,
Washington, March 20, 2025

[FR Doc. 2025-05217
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