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

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 250416–0068]

RIN 0694–AK06

Revisions to the Unverified List

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) by adding 18 persons to the Unverified List (UVL). Of the 18 persons being added: five are under the destination of China, People's Republic of (China); six are under the destination of Finland; three are under the destination of Türkiye; two are under the destination of Kazakhstan; one is under the destination of Italy; and one is under the destination of the United Kingdom. BIS is also amending the EAR by removing five persons from the UVL. Of the five persons being removed, three are under the destination of China and two are under the destination of the United Arab Emirates.

DATES: This rule is effective: April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Deniz Muslu, Director, Office of Enforcement Analysis, Phone: (202) 482–4255, Email: *UVLRequest@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

The UVL, found in supplement no. 6 to part 744 of the EAR (15 CFR parts 730–774), contains the names and addresses of foreign persons who are or have been parties to a transaction, as described in § 748.5 of the EAR, involving the export, reexport, or transfer (in-country) of items subject to the EAR. These foreign persons are added to the UVL because BIS or federal officials acting on BIS's behalf were unable to verify their *bona fides* (*i.e.,* legitimacy and reliability relating to the end use and end user of items subject to the EAR) through the completion of an end-use check. Sometimes these checks, such as a pre-license check (PLC) or a post-shipment verification (PSV), cannot be completed satisfactorily for reasons outside of the U.S. Government's control.

There are any number of reasons why these checks cannot be completed to the satisfaction of the U.S. Government. The reasons include, but are not limited to: (1) reasons unrelated to the cooperation of the foreign party subject to the end-use check (*e.g.,* BIS sometimes initiates end-use checks but is unable to complete them because the foreign party cannot be found at the address indicated on the associated export documents and BIS cannot contact the party by telephone or email); (2) reasons related to a lack of cooperation by a host government that fails to schedule and facilitate the completion of an end-use check (*e.g.,* a host government agency fails to respond to requests to conduct end-use checks, undertakes actions preventing the scheduling of such checks, or refuses to schedule checks in a timely manner); or (3) when, during the end-use check, a recipient of items subject to the EAR is unable to produce the items that are the subject of the end-use check for visual inspection or provide sufficient documentation or other evidence to confirm the disposition of the items.

BIS's inability to confirm the *bona fides* of foreign persons subject to end-use checks raises concerns about the suitability of such persons as participants in future exports, reexports, or transfers (in-country) of items subject to the EAR. An inability to confirm *bona fides* also indicates a risk that such items may be diverted to prohibited end uses and/or end users. Under such circumstances, there may not be sufficient information to add the foreign person at issue to the Entity List (supplement no. 4 to part 744 of the EAR). Therefore, BIS may add the foreign person to the UVL.

As provided in § 740.2(a)(17) of the EAR, the use of license exceptions for exports, reexports, and transfers (in-country) involving a party or parties to the transaction who are listed on the UVL is suspended. Additionally, under § 744.15(b) of the EAR, there is a requirement for exporters, reexporters, and transferors to obtain, and maintain a record of, a UVL statement from a party or parties to a transaction who are listed on the UVL before proceeding with exports, reexports, and transfers (in-country) to such persons, when the items to be exported, reexported, or transferred (in-country) are not subject to a license requirement. Finally, pursuant to § 758.1(b)(8), Electronic Export Information (EEI) must be filed in the Automated Export System (AES) for all exports of tangible items subject to the EAR where parties to the transaction, as described in § 748.5(d) through (f), are listed on the UVL.

Requests for the removal of a UVL entry must be made in accordance with § 744.15(d) of the EAR. Decisions regarding the removal or modification of a UVL entry will be made by the Deputy Assistant Secretary for Export Enforcement, based on a demonstration by the listed person of their *bona fides.* As provided in § 744.15(c)(2) of the EAR, BIS will remove a person from the UVL when BIS is able to verify the *bona fides* of the listed person.

Additions to the UVL

Pursuant to § 744.15(c) of the EAR, this rule adds 18 persons to the UVL by amending supplement no. 6 to part 744 of the EAR to include their names and addresses. This final rule implements the decision to add the following 18 persons located in the following destinations to the UVL:

- Arctic Star Co., Ltd.; Henixio Aviation Co., Ltd.; Shusum Construction Ltd.; Sino-World International Co., Ltd.; and Vauxhall International Co., Ltd., under the destination of China;
- Buran TMI; Finland Multi Center FMC OY; Finnalliance OY; Inmargo OY; Karjalan Puutyo; and MM Cargo OY, under the destination of Finland;
- Euro Servizi Elettromeccanici Industriali SEI., under the destination of Italy;
- EltexAlatau and Inter-Traid Electro, under the destination of Kazakhstan;
- Bagil Havacilik, Basak Traktor, and Ozkanlar Grup Makine AS, under the destination of Türkiye; and
- Identiparts Ltd., under the destination of the United Kingdom.

Removals From the UVL

This rule removes a total of five persons from the UVL by amending supplement no. 6 to part 744 of the EAR. The following four persons located in the following destinations are removed from the UVL because BIS was able to verify their *bona fides:* Bada Group Hong Kong Corporation, Limited and PNC Systems (Jiangsu) Co., Ltd. under the destination of China; and Lavender General Trading and Sea Prince Logistics LLC under the destination of the United Arab Emirates. BIS is removing these four persons pursuant to § 744.15(c)(2) of the EAR.

On October 23, 2024, in the final rule ''Addition of Entities, Revision of an Entry, and Removal of Entries on the Entity List'', BIS added ''Small Leopard Electronics Co., Ltd.'' under the destination of China to the Entity List (89 FR 84460). Therefore, as a conforming change, this final rule also removes ''Small Leopard Electronics Co., Ltd.'', under the destination of China, from the UVL.

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA), 50 U.S.C. 4801–4852. ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this final rule. In particular, § 1753 of ECRA (50 U.S.C. 4812) authorizes the regulation of exports, reexports, and transfers (in-country) of items subject to U.S. jurisdiction. Further, § 1754(a)(1)–(16) of ECRA (50 U.S.C. 4813(a)(1)–(16)), authorizes, inter alia, requiring measures for compliance with the export controls established under ECRA; requiring and obtaining such information from U.S. persons and foreign persons as is necessary to carry out ECRA; apprising the public of changes in policy, regulations, and procedures; and any other action necessary to carry out ECRA that is not otherwise prohibited by law. Pursuant to § 1762(a) of ECRA (50 U.S.C. 4821(a)), these changes can be imposed in a final rule without prior notice and comment.

Savings Clause

Shipments (1) that are removed from license exception eligibility or that are now subject to requirements in § 744.15 of the EAR as a result of this regulatory action; (2) that were eligible for export, reexport, or transfer (in-country) without a license before this regulatory action; and (3) that were on dock for loading, on lighter, laden aboard an exporting carrier, or enroute aboard a carrier to a port of export, by April 25, 2025, pursuant to actual orders, may proceed to that UVL listed person under the previous license exception eligibility or without a license and pursuant to the export clearance requirements set forth in part 758 of the EAR that applied prior to this person being listed on the UVL, so long as the items have been exported from the United States, reexported, or transferred (in-country) before May 27, 2025. Any such items not actually exported, reexported or transferred (in-country) before midnight on May 27, 2025 are subject to the requirements in § 744.15 of the EAR in accordance with this rule.

Rulemaking Requirements

Executive Order Requirements

Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distribute impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This final rule is not significant under Executive Order 12866. This final rule is not a regulatory action under Executive Order 14192, because it is not a significant rule under Executive Order 12866.

This rule does not contain policies with federalism implications as that term is defined under Executive Order 13132.

Paperwork Reduction Act Requirements

Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.

The UVL additions contain collections of information approved by OMB under the following control numbers:

- OMB Control Number 0694–0088—Simple Network Application Process and Multipurpose Application Form
- OMB Control Number 0694–0122—Miscellaneous Licensing Responsibilities and Enforcement
- OMB Control Number 0694–0134—Entity List and Unverified List Requests
- OMB Control Number 0694–0137—License Exemptions and Exclusions

BIS believes that the overall increases in burdens and costs related to this rule will be minimal and will fall within the already approved amounts for these existing collections. Additional information regarding these collections of information—including all background materials—can be found at: *https://www.reginfo.gov/public/do/PRAMain* by using the search function to enter either the title of the collection or the OMB Control Number.

Administrative Procedure Act and Regulatory Flexibility Act Requirements

Pursuant to section 1762 of ECRA (50 U.S.C. 4821), this action is exempt from the Administrative Procedure Act, 5 U.S.C. 553, requirements for notice of proposed rulemaking and opportunity for public participation.

Further, no other law requires notice of proposed rulemaking or opportunity for public comment for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required under the Administrative Procedure Act or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are not applicable.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730 through 774) is amended as follows:

PART 744—END-USE AND END-USER CONTROLS

■ 1. The authority citation for 15 CFR part 744 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of September 18, 2024, 89 FR 77011 (September 20, 2024); Notice of November 7, 2024, 89 FR 88867 (November 8, 2024).

■ 2. Amend Supplement no. 6 to part 744 by:

■ a. Under CHINA, PEOPLE'S REPUBLIC OF:

■ i. Adding the entry, in alphabetical order, for the following entity: ''Arctic Star Co., Ltd.;''

■ ii. Removing the entry for ''Bada Group Hong Kong Corporation, Limited;''

■ iii. Adding the entry, in alphabetical order, for the following entity: ''Henixio Aviation Co., Ltd.;''

■ iv. Removing the entry for ''PNC Systems (Jiangsu) Co., Ltd.;''

■ v. Adding the entries, in alphabetical order, for the following entities: ''Shusum Construction Ltd.;'' and ''Sino-World International Co., Ltd.;''

■ vi. Removing the entry for ''Small Leopard Electronics Co., Ltd.;''

■ vii. Adding the entry, in alphabetical order, for the following entity: ''Vauxhall International Co., Ltd.''

■ b. Under FINLAND adding entries, in alphabetical order, for the following entities: ''Buran TMI;'' ''Finland Multi Center FMC OY;'' ''Finnalliance OY;'' ''Inmargo OY;'' ''Karjalan Puutyo;'' and ''MM Cargo OY;''

■ c. Adding a country listing for ITALY, in alphabetical order;

■ d. Under ITALY by adding an entry, in alphabetical order, for the following entity: ''Euro Servizi Elettromeccanici Industriali SEI.;''

■ e. Adding a country listing for KAZAKHSTAN, in alphabetical order;

■ f. Under KAZAKHSTAN adding entries, in alphabetical order, for the following entities: ''EltexAlatau;'' and ''Inter-Traid Electro;''

■ g. Under TÜRKIYE adding entries, in alphabetical order, for the following entities: ''Under Türkiye, Bagil Havacilik;'' ''Basak Traktor;'' and ''Ozkanlar Grup Makine AS;''

■ h. Under UNITED ARAB EMIRATES removing the entries for ''Lavender General Trading;'' and ''Sea Prince Logistics LLC;''

■ i. Adding a country listing for UNITED KINGDOM, in alphabetical order; and

■ j. Under UNITED KINGDOM by adding an entry, in alphabetical order, for the following entity: ''Identiparts Ltd.''

The additions read as follows:

Supplement No. 6 to Part 744—Unverified List

* * * * *

Country	Listed person and address	**Federal Register** Citation
*	* * * * *	* *
CHINA, PEOPLE'S REPUBLIC OF.	* * * *	* *
	Arctic Star Co., Ltd., Unit 1507, 15/F, Eastcore, 398 Kwun Tong Rd., Kwun Tong, Hong Kong.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	* * * *	* *
	Henixio Aviation Co., Ltd., 108 Cheung Po, Pat Heung, New Territories, Hong Kong; *and* Room 218–9, 2/floor, Block B, Proficient Industrial Centre, 6 Wang Kwun Road, Kowloon Bay, Kowloon, Hong Kong; *and* Unit 1507E, 15/F, Eastcore, 398 Kwun Tong Road, Kwun Tong, Kowloon, Hong Kong.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	* * * *	* *
	Shusum Construction Ltd., 9th floor, Huayuan Factory Building, 15 Beech Street, Tai Kok Tsui, Kowloon, Hong Kong.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	* * * *	* *
	Sino-World International Co., Ltd., Flat 8, 20/F, Sunwise Industrial Building, 16–26 Wang Wo Tsai Street, Tsuen Wan, New Territories, Hong Kong; *and* Room 1303, 13/F, 287–289 Reclamation Street, Mong Kok, Kowloon, Hong Kong.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025.
	* * * *	* *
	Vauxhall International Co., Ltd., a.k.a. Vauxhall International Logistics Co., Ltd., DD102 LOT359RP–362, 365RP, 366RP, Warehouse B, San Tin, Yuen Long, New Territories, Hong Kong; *and* 8 Siu Hum Tsuen, San Tin, Yuen Long, New Territories, Hong Kong; *and* 11 Siu Hum Tsuen, San Tin, Yuen Long, New Territories, Hong Kong.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
*	* * * * *	* *
FINLAND	* * * *	* *
	Buran TMI, Koverinkatu 2–31, Lappeenranta, Finland	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	Finland Multi Center FMC OY a.k.a. Finland Multi Center OY a.k.a. Finland Multi Center, Rajahovintie 14, Vaalimaa, 49930 Finland.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	Finnalliance OY, Poskelantie 3, Lappeenranta, Finland	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	Inmargo OY, Asentajankatu 15, Kotka, 48700, Finland; *and* Puutarhakatu 29 A 22, Kotka, Finland.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	* * * *	* *
	Karjalan Puutyo, Vehkavaarantie 260, Onkamo, 82360, Finland	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].

Country	Listed person and address	**Federal Register** Citation
	MM Cargo OY a.k.a. MM Cargo WH a.k.a. MM Cargo, Harapaisentie 55, Lappeenranta, 53500, Finland.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
*	* * * * * * *	
ITALY	Euro Servizi Elettromeccanici Industriali S.E.I., Via Sempione 17, 21011, Carorate Sempione, Italy.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
KAZAKHSTAN	EltexAlatau, 34 Luganskogo Street, 2nd Floor, Almaty, Kazakhstan; *and* 9 Ibragimov Street, Alatau District, Almaty, Kazakhstan.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	Inter-Traid Electro a.k.a. Inter-Trade Electro LLP a.k.a. TOO ''Inter-Treid Elektro'' a.k.a. ''Inter-Treid Elektro'' J Sh S, 19 Orlikol Street, Astana, Kazakhstan.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
*	* * * * * * *	
TÜRKIYE	* * * * * *	
	Bagil Havacilik, Eskicami-Ortacami Mah. Kafkas, Sok. No:15 B Suleymanpasa, Tekirdag, Türkiye.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	Basak Traktor, Hanli Sakarya Mah. Basak Sok., No:62/1 Arifiye, Sakarya, Türkiye.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
	* * * * * *	
	Ozkanlar Grup Makine AS, Ahi Evran OSB Mah. Anadolu Cad. NO:7, 06930 Sincan, Ankara, Türkiye.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].
*	* * * * * * *	
UNITED KINGDOM	Identiparts Ltd., 32 Market Field, Steyning BN44 3SU, United Kingdom; *and* 65 Hurston Close, Findon Valley, Worthing, United Kingdom; *and* Hayes & CO, 2nd Floor, Olivier House, 77–79 High Street, Steyning, BN44 3RE, United Kingdom.	90 FR [INSERT **FEDERAL REGISTER** PAGE NUMBER 04/25/2025].

* * * * *

Eric Longnecker,

Deputy Assistant Secretary for Technology Security.

[FR Doc. 2025–07185 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919–0193; RTID 0648–XE733]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the Angling Category Gulf of America Trophy Fishery for 2025

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the Angling category Gulf of America fishery for large medium and giant (''trophy'' (*i.e.,* measuring 73 inches (185 centimeters (cm)) curved fork length or greater)) Atlantic bluefin tuna (BFT). This action applies to Highly Migratory Species (HMS) Angling and HMS Charter/Headboat permitted vessels when fishing recreationally.

DATES: Effective 11:30 p.m., local time, April 23, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Larry Redd, Jr., *larry.redd@noaa.gov,* or Becky Curtis, *becky.curtis@noaa.gov,* by email, or by phone at 301–427–8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated Highly Migratory Species Fishery Management Plan (HMS FMP) and its amendments, pursuant to the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). ATCA is the implementing statute for binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The HMS FMP and its amendments are implemented by regulations at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by ICCAT and as implemented by the United States among the various domestic fishing categories, per the allocations established in the HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA. On January 20, 2025, President Trump issued Executive Order (E.O.) 14172 (Restoring Names that Honor American Greatness). As part of the order, the Gulf of Mexico is renamed as the Gulf of America. NMFS recognizes that the Magnuson-Stevens Act contains several explicit references to the Gulf of Mexico, including at 16 U.S.C. 1852(a)(3) regarding authority to regulate HMS within the geographical area of the ''Gulf of Mexico Fishery Management Council'' (''Gulf Council, established at 16 U.S.C. 1852(a)(1)(E)). Consistent with the order, this action uses Gulf of America for all references to the area known as the Gulf of Mexico in the specific regulations at 50 CFR part 635. Regulatory changes to incorporate the name ''Gulf of America'' in 50 CFR part 635 are pending.

Under § 635.28(a)(1), NMFS files a closure notice with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. Retaining, possessing, or landing BFT under that quota category is prohibited on and after the effective date and time of a closure notice for that category, for the remainder of the fishing year, until the opening of the subsequent quota period or until such date as specified.

Every year, the BFT fishing year starts on January 1 and ends on December 31. The Angling category opens on January 1 and continues through December 31 or until the applicable quota or subquota is reached or projected to be reached, whichever comes first. As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area per § 635.27(a)(3)). The Angling category baseline quota is 297.4 mt, of which 9.2 mt (3.1 percent of the annual Angling category quota) is sub-allocated for the harvest of large medium and giant (trophy) BFT by vessels fishing under the Angling category quota, with 2.3 mt (25 percent of the annual large medium and giant BFT Angling category quota) allocated for each of the following areas: north of 42° N latitude (lat.) (the Gulf of Maine area); south of 42° N lat. and north of 39°18′ N lat. (the southern New England area); south of 39°18′ N lat. and outside of the Gulf of America (the southern area); and the Gulf of America. NMFS notes, when the Gulf of America trophy fishery is open, no large medium or giant BFT may be retained, possessed, landed, or sold in the Gulf of America, except one per vessel per year may be landed if caught incidentally to fishing for other species as specified at § 635.23(b)(1)(i) while the fishery is open. Trophy BFT measure 73 inches (185 cm) curved fork length or greater. This closure action applies to the Gulf of America.

Angling Category Trophy Bluefin Tuna Gulf of America Fishery Closure

Based on landings data from the NMFS Automated Catch Reporting System, as well as average catch rates and anticipated fishing conditions, NMFS has determined the Angling category Gulf of America trophy BFT subquota of 2.3 mt is projected to be reached and exceeded shortly. Therefore, retaining, possessing, or landing large medium or giant (*i.e.,* measuring 73 inches (185 cm) curved fork length or greater) BFT in the Gulf of America by persons aboard HMS Angling and HMS Charter/Headboat permitted vessels (when fishing recreationally) must cease at 11:30 p.m. local time on April 23, 2025. This closure will remain effective through December 31, 2025. This action applies to HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally for BFT, and is taken consistent with the regulations at § 635.28(a)(1). This action is intended to prevent further overharvest of the Angling category Gulf of America trophy BFT subquota.

If needed to ensure available quotas or subquotas are not exceeded or to enhance fishing opportunities, subsequent Angling category adjustments or closures will be published in the **Federal Register** per § 635.27(a)(7) and § 635.28(a)(1). Information regarding the Angling category fishery for Atlantic tunas, including daily retention limits for BFT measuring 27 inches (68.5 cm) to less than 73 inches (185 cm), and any further Angling category adjustments, is available at *https://hmspermits.noaa.gov.* During a closure, fishermen aboard HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally may continue to catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the ''Careful Catch and Release'' brochure available at *https://www.fisheries.noaa.gov/resource/outreach-and-education/careful-catch-and-release-brochure/.*

Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Per § 635.5(c)(1), HMS Angling and HMS Charter/Headboat permitted vessel owners are required to report the catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing *https://hmspermits.noaa.gov,* using the HMS Catch Reporting app, or calling (888) 872–8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635, and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice of, and an opportunity for public comment on, this action because it is impracticable and contrary to the public interest for the following reasons. Specifically, the regulations implementing the HMS FMP and its amendments provide for inseason retention limit adjustments and fishery closures to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing for prior notice and opportunity to comment is impracticable and contrary to the public interest as this fishery is currently underway and, based on the most recent landings information, the Angling category Gulf of America trophy BFT fishery subquota is projected to be reached and exceeded shortly. Delaying this action could result in further excessive trophy BFT landings that may result in future potential quota reductions for the Angling category, depending on the magnitude of a potential Angling category overharvest. NMFS must close the Gulf of America trophy BFT fishery before additional landings of these sizes of BFT occur. Taking this action does not raise conservation and management concerns, and would support effective management of the BFT fishery. NMFS notes that the public had an opportunity to comment on the underlying rulemakings that established the U.S. BFT quota and the inseason adjustment criteria.

For all of the above reasons, the AA also finds that pursuant to 5 U.S.C. 553(d), there is good cause to waive the 30-day delay in effectiveness.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: April 22, 2025.

Karen H. Abrams,

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

[FR Doc. 2025–07166 Filed 4–22–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 79
Friday, April 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 AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 381

[Docket No. FSIS–2023–0028]

RIN 0583–AD96

Salmonella Framework for Raw Poultry Products

AGENCY: Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

ACTION: Notice of withdrawal.

SUMMARY: FSIS is withdrawing the proposed rule and proposed determination titled ''*Salmonella* Framework for Raw Poultry Products.''

DATES: The proposed rule and proposed determination published on August 7, 2024, at 89 FR 64678 is withdrawn as of April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development, FSIS, USDA; Telephone: (202) 205–0495.

SUPPLEMENTARY INFORMATION: On August 7, 2024, FSIS published a proposed rule and proposed determination in the **Federal Register** titled ''*Salmonella* Framework for Raw Poultry Products'' (89 FR 64678). The proposed framework was targeted at reducing *Salmonella* illnesses associated with poultry products. The proposal announced FSIS' proposed determination that raw chicken carcasses, chicken parts, comminuted chicken, and comminuted turkey products contaminated with certain *Salmonella* levels and serotypes are adulterated as defined in the Poultry Products Inspection Act (PPIA) (21 U.S.C. 453 *et seq.*). FSIS proposed to establish final product standards based on these *Salmonella* levels and serotypes. FSIS also proposed to revise the regulations in 9 CFR 381.65(g) that require that all poultry slaughter establishments develop, implement, and maintain written procedures to prevent contamination by enteric pathogens throughout the entire slaughter and dressing operation to clarify that these procedures must include a microbial monitoring program (MMP) that incorporates statistical process control (SPC) monitoring methods, to require sampling at rehang instead of pre-chill, and to require that all establishments conduct paired sampling at rehang and post-chill. The Agency proposed to amend the recordkeeping requirements under 9 CFR 381.65(h) to require that establishments submit their microbial monitoring sampling results to FSIS electronically. FSIS had considered proposing to require that incoming flocks meet a predetermined target level for *Salmonella* at receiving. However, at the time the proposal was published, the research did not support the use of a threshold for test results at the receiving step and many small poultry producers and processors said that such an approach would impose an overwhelming burden on them. Therefore, the proposed framework focused on a non-regulatory approach for reducing the *Salmonella* load on incoming birds.

FSIS received 7,089 comments on the proposed framework during the comment period, which closed on January 17, 2025. Most of the comments were submitted as part of organized letter writing campaigns, while 1,415 were unique comment letters. FSIS received substantive comments from a variety of stakeholders that included poultry and meat industry trade associations, small poultry producer and processor trade associations, large and small poultry processing establishments, consumer advocacy organizations, members of academia, scientific and technical trade associations, diagnostic laboratory companies, foreign entities (government, poultry processors, and importers), law students, State Departments of Agriculture and State representatives, members of Congress, and a risk assessment firm. The issues that generated the most comments, both positive and negative, included those associated with FSIS' legal authority to propose the final product standards, the proposed *Salmonella* levels and serotypes for the final product standards, the proposed use of SPC monitoring, the scientific and technical information used to support the proposed framework, the potential economic impacts of the proposed framework, and the potential impact of the proposed framework on small poultry growers and processors. Several comments also suggested alternative approaches other than the proposed framework for addressing *Salmonella* illnesses associated with poultry products.

While FSIS continues to support the goal of reducing *Salmonella* illnesses associated with poultry products, the Agency believes that the comments have raised several important issues that warrant further consideration. Therefore, FSIS is withdrawing the ''*Salmonella* Framework for Raw Poultry Products'' proposed rule and proposed determination to allow the Agency to further assess its approach for addressing *Salmonella* illnesses associated with poultry products.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: *https://www.fsis.usda.gov/federal-register.* FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The Constituent Update is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service that provides automatic and customized access to selected food safety news and information. This service is available at: *https://www.fsis.usda.gov/subscribe.* The available information ranges from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its

Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or (3) email: *program.intake@usda.gov.* USDA is an equal opportunity provider, employer, and lender.

Denise Eblen,

Acting Deputy Under Secretary for the Office of Food Safety.

[FR Doc. 2025–07187 Filed 4–24–25; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1885; Project Identifier AD–2023–00995–E]

RIN 2120–AA64

Airworthiness Directives; General Electric Company Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM).

SUMMARY: The FAA is revising a notice of proposed rulemaking (NPRM) that applied to certain General Electric Company (GE) Model CF34–10E2A1, CF34–10E6, CF34–10E6A1, CF34–10E7, and CF34–10E7–B engines having certain high-pressure turbine (HPT) front rotating air seals installed. This action revises the NPRM by adding Model CF34–10E5 and CF34–10E5A1 engines to the applicability. The FAA is proposing this airworthiness directive (AD) to address the unsafe condition on these products. Since these actions would impose an additional burden over those in the NPRM, the agency is requesting comments on this SNPRM.

DATES: The FAA must receive comments on this SNPRM by June 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–2024–1885; 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 SNPRM, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For GE material identified in this SNPRM, contact GE, 1 Neumann Way, Cincinnati, OH 45215; phone: (513) 552–3272; email: *aviation.fleetsupport@ge.com;* website: *ge.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Alexei Marqueen, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238–7178; email: *alexei.t.marqueen@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–2024–1885; Project Identifier AD–2023–00995–E'' 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 again revise 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 SNPRM.

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 SNPRM 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 SNPRM, 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 SNPRM. Submissions containing CBI should be sent to Alexei Marqueen, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued an NPRM to amend 14 CFR part 39 by adding an AD that would apply to certain GE Model CF34–10E2A1, CF34–10E6, CF34–10E6A1, CF34–10E7, and CF34–10E7–B engines with certain part numbered high-pressure turbine (HPT) front rotating air seals installed. The NPRM was

published in the **Federal Register** on July 24, 2024 (89 FR 59860). The NPRM was prompted by a report of indications found in certain HPT front rotating air seals at the rabbet surface where the affected part interacts with the HPT rotor disk tabs. The manufacturer investigated and determined that the indications were caused by a high edge of contact stress between the HPT rotor disk and the rabbet surface of the HPT front rotating air seal. In the NPRM, the FAA proposed to require repetitive FPIs to detect indications or linear indications (any indication that is four times longer than the width of that same indication) in the HPT front rotating air seal and, if necessary, replacement of the HPT front rotating air seal or HPT rotor disk with parts eligible for installation. Additionally, replacing the HPT front rotating air seal with an updated design part constitutes as a terminating action for the proposed AD.

Actions Since the NPRM Was Issued

Since the FAA issued the NPRM, the FAA has determined changes to the applicability are necessary, primarily based on comments received from several commenters and additional review.

Comments

The FAA received comments on the NPRM from Japan Airlines and the Air Line Pilots Association, International (ALPA). ALPA supported the NPRM without change. The agency considered the comments received from Japan Airlines and the following discussion presents these comments and the FAA's response.

Request To Update the Applicability

Japan Airlines suggested that the applicability of the NPRM include Models CF34–10E5 and CF34–10E5A1, because the effectivity of GE CF34–10E Service Bulletin 72–0341 R02, dated September 24, 2021 (GE SB 72–0341 R02) applies to all CF34–10E engines with an installed high-pressure turbine (HPT) front rotating air seals, part number (P/N) 1865M49P04, P/N 2448M30P02, or P/N 2448M30P03. The FAA agrees and has revised paragraph (c) to include Model CF34–10E5 and CF34–10E5A1 engines.

Request To Revise Compliance Time

Japan Airlines also requested that the compliance time be revised to match the service bulletin in that the proposed actions be when the HPT rotor assembly is exposed instead of disassembled from the core module assembly. Japan Airlines stated that the compliance time in paragraph (g)(1) of the proposed AD shows to replace ''at the next exposure of the HPT rotor assembly'' and paragraph (i)(1) of the proposed AD shows that a ''piece part exposure'' is when the HPT front rotating air seal is disassembled from the HPT rotor assembly. If the FAA's intent was to match the service bulletin, Japan Airlines suggested that the compliance time of paragraph (g)(1) of the proposed AD be changed to ''at the next exposure of the HPT rotor assembly and each exposure thereafter; and the definition in paragraph (i)(1) of the proposed AD be changed to ''exposure of the HPT rotor assembly is when the HPT rotor assembly is disassembled from the core module assembly.

The FAA agrees and has revised paragraph (g)(1) to use ''at next exposure of the HPT rotor assembly'' and paragraph (i)(1) to define ''exposure of HPT rotor assembly'' to match the intent of the service bulletin.

FAA's Determination

The FAA is proposing this AD after determining the unsafe condition described previously is likely to exist or develop in other products of the same type design. Certain changes described above expand the scope of the NPRM. As a result, it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed GE SB 72–0341 R02. This material specifies procedures for repetitive FPIs and eddy current inspections of certain HPT front rotating air seals for indications or linear indications and, if necessary, replacement of the affected HPT front rotating air seals or the HPT rotor disk with parts eligible for installation. 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 **ADDRESSES**.

Proposed AD Requirements in This SNPRM

This proposed AD would require, at the next exposure of the HPT rotor assembly, repetitive FPIs to detect indications or linear indications (any indication that is four times longer than the width of that same indication) in the HPT front rotating air seal and, if necessary, replacement of the HPT front rotating air seal or HPT rotor disk with parts eligible for installation. Additionally, replacing the HPT front rotating air seal with an updated design part constitutes terminating action for the proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, affects 228 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
FPI of the HPT front rotating air seal	8 work-hours × $85 per hour = $680	$0	$680	$155,040

The FAA estimates the following costs to do any necessary replacements that would be required based on the results of the proposed inspections. The agency has no way of determining the number of engines that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace HPT front rotating air seal	8 work-hours × $85 per hour = $680	$332,000	$332,680
Replace HPT rotor disk	8 work-hours × $85 per hour = $680	341,800	342,480

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 adding the following new airworthiness directive:

General Electric Company: Docket No. FAA–2024–1885; Project Identifier AD–2023–00995–E.

(a) Comments Due Date

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

(b) Affected ADs

None.

(c) Applicability

This AD applies to General Electric Company CF34–10E2A1, CF34–10E6, CF34–10E6A1, CF34–10E7, CF34–10E7–B, CF34–10E5, and CF34–10E5A1 engines with an installed high-pressure turbine (HPT) front rotating air seal having a part number (P/N) 1865M49P04, 2448M30P02, or 2448M30P03.

(d) Subject

Joint Aircraft System Component (JASC) Code 7250, Turbine Section.

(e) Unsafe Condition

This AD was prompted by a report of cracks found in the HPT rotating air front seal. The FAA is issuing this AD to detect indications and linear indications (any indication which is four times longer than the width of that same indication) of the HPT front rotating air seal. The FAA is issuing this AD to prevent failure of the HPT front rotating air seal or HPT rotor disk. The unsafe condition, if not addressed, could result in uncontained release of the HPT front rotating air seal or HPT rotor disk, damage to the engine, and damage to the airplane.

(f) Compliance

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

(g) Required Actions

(1) At the next exposure of the HPT rotor assembly after the effective date of this AD and each exposure thereafter, perform a fluorescent penetrant inspection (FPI) of the HPT front rotating air seal for indications or linear indications in accordance with paragraphs 3.B.(1)(a) through (f), of GE CF34–10E Service Bulletin (SB) 72–0341 R02, dated September 24, 2021 (GE CF34–10E SB 72–0341 R02).

(2) If during any FPI required by paragraph (g)(1) of this AD, any indication greater than 0.015 in. (0.38mm) or any linear indication is found, before further flight, remove the HPT front rotating air seal from service and replace with a part eligible for installation, in accordance with paragraphs 3.B.(1)(g) and (h) of GE CF34–10E SB 72–0341 R02.

(3) If during any FPI required by paragraph (g)(1) of this AD, any indication is found that extends beyond the rabbet diameter M, as specified in paragraph 3.B.(1)(i), Figure 1, and Figure 4 (Sheet 2) of GE CF34–10E SB 72–0341 R02, before further flight, remove the HPT rotor disk from service and replace with a part eligible for installation, in accordance with paragraph 3.B.(1)(i)2 of GE CF34–10E SB 72–0341 R02.

(h) Optional Terminating Action

Replacing the HPT front rotating air seal with an HPT front rotating air seal having P/N 2929M57P01 terminates the requirements of this AD.

(i) Definitions

For the purpose of this AD, the definitions in paragraphs (i)(1) through (3) of this AD apply:

(1) An ''exposure of the HPT rotor assembly'' is when the HPT rotor assembly is removed from the core module assembly.

(2) A ''linear indication'' is any indication whose length is at least four times greater than its width.

(3) A ''part eligible for installation'' is defined as the following, as applicable:

(i) An HPT front rotating air seal that is eligible for installation is an HPT front rotating air seal having P/N 1865M49P04, P/N 2448M30P02, or P/N 2448M30P03 that has passed the inspection required by paragraph (g)(1) of this AD, or an HPT front rotating air seal having P/N 2929M57P01.

(ii) An HPT rotor disk that is eligible for installation is an HPT rotor disk having P/N 1865M51P03 or P/N 1865M51P04 that has not been removed from service as a result of the actions required by paragraph (g)(3) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

For more information about this AD, contact Alexei Marqueen, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238–7178; email: *alexei.t.marqueen@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) GE CF34–10E Service Bulletin 72–0341 R02, dated September 24, 2021.

(ii) [Reserved]

(3) For GE material identified in this AD, contact the General Electric Company, 1 Neumann Way, Cincinnati, OH 45215; phone: (513) 552–3272; email: *aviation.fleetsupport@ge.com;* website: *ge.com.*

(4) You may view this material at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on April 18, 2025.

Peter A. White,

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

[FR Doc. 2025–06963 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0630; Project Identifier MCAI–2023–00518–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Deutschland GmbH Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC135T3, EC635T2+, MBB–BK 117 C–2, MBB–BK 117 D–2, and MBB–BK 117 D–3 helicopters. This proposed AD was prompted by a review of design data and the determination for recalculation of accumulated hoist boom cycles (cycles) and repetitive inspections. This proposed AD would require determining the total cycles of certain hoist boom assemblies, inspecting those hoist boom assemblies, and depending on the results, taking corrective action. This proposed AD would also prohibit installing those hoist boom assemblies unless certain requirements are met. These actions are specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by June 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–2025–0630; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–0630.

FOR FURTHER INFORMATION CONTACT: Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: *steven.r.warwick@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–2025–0630; Project Identifier MCAI–2023–00518–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

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

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023–0066, dated March 24, 2023 (EASA AD 2023–0066) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Deutschland GmbH Model EC135 P1, EC135 P2, EC135 P2+, EC135 P3, EC135 T1, EC135 T2, EC135 T2+, EC135 T3, EC635 P2+, EC635 P3, EC635 T1, EC635 T2+, EC635 T3, MBB–BK117 C–2, MBB–BK117 D–2, MBB–BK117 D–3, and MBB–BK117 D–3m helicopters.

The MCAI states that due to a review of design data, it was determined that hoist boom assemblies, part number (P/N) 44301–500, 44307–500, and 44307–500–1, must be inspected repetitively based on accumulated cycles. The additional inspection criteria were due to a new fatigue calculation to factor in external load, particularly human external cargo. The FAA is proposing this AD to prevent failure of the hoist boom assembly, which could lead to in-flight loss of the hoist load and consequent injury to occupants.

You may examine the EASA AD in the AD docket at *regulations.gov* under Docket No. FAA–2025–0630.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0066, which specifies procedures for inspecting certain part-numbered hoist boom assemblies at certain intervals and, depending on the results, replacing or removing certain parts or taking further corrective action to resolve the discrepancy [crack, deformation, dent, corrosion, or other damage] or replacing the hoist boom assembly. EASA AD 2023–0066 also provides a terminating action for the inspections and prohibits installing those part-numbered hoist boom assemblies on any helicopter unless its requirements are met.

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

FAA's Determination

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI 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 designs.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2023–0066, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD and except as discussed under ''Differences Between this Proposed AD and the MCAI.''

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2023–0066 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023–0066 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2023–0066 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2023–0066. Material referenced in EASA AD 2023–0066 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0630 after the FAA final rule is published.

Differences Between This Proposed AD and the MCAI

The MCAI applies to Model EC635 P2+, EC635 P3, EC635 T1, EC635 T3, and MBB–BK117 D–3m helicopters, whereas this proposed AD would not because these model helicopters are not FAA type-certificated.

The MCAI requires accomplishing a corrective action in accordance with the instructions of the service material, whereas this proposed AD would require repairing or replacing affected parts that have certain discrepancies, within allowable limits, as described in this proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 732 helicopters of U.S. registry. Labor rates are estimated at $85 per hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

If required, determining the total cycles would take 0.5 work-hour for an estimated cost of $43 per helicopter. Inspecting a hoist boom assembly would take 4 work-hours for an estimated cost of $340 per helicopter and $248,880 for the U.S. fleet, per inspection cycle.

Repairing any surface deformation, damage, or corrosion that is within allowable limits would take up to 1 work-hour and parts would cost a nominal amount for an estimated cost of up to $85 per helicopter. Replacing a hoist boom assembly (which includes a boom elbow, boom tube, and boom adapter) would take up to 5 work-hours (depending on configuration) and parts would cost $68,188 to up to $88,812 (depending on P/N) for an estimated cost of up to $68,613 to $89,237 per helicopter.

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 adding the following new airworthiness directive:

Airbus Helicopters Deutschland GmbH: Docket No. FAA–2025–0630; Project Identifier MCAI–2023–00518–R.

(a) Comments Due Date

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

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Deutschland GmbH Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC135T3, EC635T2+, MBB–BK 117 C–2, MBB–BK 117 D–2, and MBB–BK 117 D–3 helicopters, certificated in any category.

Note 1 to paragraph (c): Helicopters with an EC135P3H designation are Model EC135P3 helicopters, helicopters with an EC135T3H designation are Model EC135T3 helicopters, and helicopters with an MBB–BK 117C–2e designation are Model MBB–BK 117C–2 helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code: 2500, Cabin equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by a review of design data and the determination for a new calculation of accumulated hoist boom cycles (cycles) to factor in external load and repetitive inspections. The FAA is issuing this AD to prevent failure of the hoist boom assembly. The unsafe condition, if not addressed, could result in in-flight loss of the hoist load and subsequent injury to occupants.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2023–0066, dated March 24, 2023 (EASA AD 2023–0066).

(h) Exceptions to EASA AD 2023–0066

(1) Where EASA AD 2023–0066 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraphs (3) and (4) of EASA AD 2023–0066 refer to any discrepancy, for the purposes of this AD, a discrepancy is identified as surface deformation, damage, or corrosion that is within allowable limits.

(3) Where paragraph (3) of EASA AD 2023–0066 specifies ''before next hoist operation, accomplish the applicable corrective action in accordance with the instructions of the ASB,'' this AD requires replacing that text with ''before next hoist operation, repair any deformation, damage, and corrosion that is within the allowable limit, apply a protective chemical film, and restore the protective finish. If the inspection criteria fails (if there is surface deformation, damage, or corrosion that exceeds the allowable limit, any damage or corrosion in a riveted bore hole, or any crack), before further flight, replace the hoist boom assembly (which includes the support assembly) with a serviceable part, as defined in EASA AD 2023–0066.''

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0066.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0066 specifies to submit certain information to the manufacturer, this AD does not require that action.

(i) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: *steven.r.warwick@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2023–0066, dated March 24, 2023.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on April 21, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–07112 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0625; Project Identifier MCAI–2022–01625–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model AS 365 N3, EC 155B, and EC155B1 helicopters. This proposed AD was prompted by reports of false engine fire warnings. This proposed AD would require replacing affected engine fire detectors and prohibit installing an affected engine fire detector or an engine that contains an affected engine fire detector, 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 NPRM by June 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–2025–0625; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket

contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–0625.

FOR FURTHER INFORMATION CONTACT: Aryanna Sanchez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–4058; email: *aryanna.t.sanchez@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–2025–0625; Project Identifier MCAI–2022–01625–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Aryanna Sanchez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. 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 2022–0261, dated December 20, 2022 (EASA AD 2022–0261) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Model AS 365 N3, EC 155 B, and EC 155 B1 helicopters. The MCAI states that there have been several reports of false engine fire warnings. Subsequent investigation determined that a manufacturing non-compliance on the engine fire detectors, part numbers (P/N) H243–1 or H443–1, caused a shift of the detection threshold towards temperature values that are lower than specified, and potentially led to false engine fire warnings. When two engines on a helicopter are fitted with a non-conforming engine fire detector, an engine fire warning could occur on both engines during the same flight. This condition, if not corrected, could lead to a commanded engine in-flight shut-down, and subsequent loss of control of the helicopter. 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–2025–0625.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2022–0261, which specifies procedures for replacing affected engine fire detectors (part numbers (P/N) H243–1 or H443–1) and prohibits installation of an affected engine fire detector or an engine that contains an affected engine fire detector. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the material already described, except for any differences identified as exceptions in the regulatory text of this 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 2022–0261 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022–0261 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2022–0261 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 2022–0261. Material referenced in EASA AD 2022–0261 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0625 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 3 helicopters of U.S. registry. Labor costs are estimated at $85 per hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

Replacing an engine fire detector would take 1 work-hour and parts would cost $1,800, for an estimated cost of $1,885 per helicopter and $5,655 for the U.S. fleet.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Helicopters: Docket No. FAA–2025–0625; Project Identifier MCAI–2022–01625–R.

(a) Comments Due Date

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

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model AS 365 N3, EC 155B, and EC155B1 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2610, Fire Detection System.

(e) Unsafe Condition

This AD was prompted by reports of false engine fire warnings. The FAA is issuing this AD to prevent false engine fire warnings. The unsafe condition, if not addressed, could lead to a commanded engine in-flight shut-down and subsequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with European Union Aviation Safety Agency AD 2022–0261, dated December 20, 2022 (EASA AD 2022–0261).

(h) Exceptions to EASA AD 2022–0261

(1) Where EASA AD 2022–0261 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the ''Remarks'' section of EASA AD 2022–0261.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2022–0261 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Aryanna Sanchez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–4058; email: *aryanna.t.sanchez@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2022–0261, dated December 20, 2022.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on April 21, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–07110 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0629; Project Identifier MCAI–2023–01183–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Deutschland GmbH (AHD) Model EC135P1, EC135P2,

EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC635T2+, and EC135T3 helicopters. This proposed AD was prompted by reports of ruptured and deformed flexible couplings. This proposed AD would require inspecting the axial displacement of the tail rotor driveshaft and, depending on the results, taking corrective actions including inspecting the flexible couplings. This proposed AD would also prohibit installing a tail rotor drive shaft unless certain procedures are followed. These actions are specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by June 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–2025–0629; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu*; website: *easa.europa.eu*. You may find the EASA material on the EASA website at *ad.easa.europa.eu*.
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. The EASA material is also available at *regulations.gov* under Docket No. FAA–2025–0629.

FOR FURTHER INFORMATION CONTACT: Aaron Nguyen, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5134; email: *Aaron.T.Nguyen@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–2025–0629; Project Identifier MCAI–2023–01183–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Aaron Nguyen, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5134; email: *Aaron.T.Nguyen@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023–0197, dated November 10, 2023 (EASA AD 2023–0197) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Deutschland GmbH Model EC135 P1, EC135 P2, EC135 P2+, EC135 P3, EC135 T1, EC135 T2, EC135 T2+, EC135 T3, EC635 P2+, EC635 P3, EC635 T1, EC635 T2+, and EC635 T3 helicopters. The MCAI advises of reports of ruptured and deformed flexible couplings, and that investigations determined that a flexible coupling installed with high axial displacement causes increased stresses and friction between its sheets. The MCAI states that this unsafe condition, if not detected and corrected, could lead to cracks and extensive deformation of flexible couplings and consequent high vibration of the tail rotor drive shaft, possibly resulting in reduced control of the helicopter. The FAA is proposing this AD to address the unsafe condition on these helicopters.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0629.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0197, which requires a one-time inspection of the flexible coupling for axial displacement and, depending on the results, replacing both flexible couplings and correcting the axial displacement, or inspecting the flexible couplings, replacing each flexible coupling having a discrepancy, and correcting the axial displacement. For certain flexible couplings not replaced based on the results of the flexible coupling inspection, EASA AD 2023–0197 requires replacing the flexible couplings within a longer compliance time. EASA AD 2023–0197 also prohibits installing a tail rotor drive shaft on any helicopter unless certain procedures are followed. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI 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 these same type designs.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2023–0197, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD and except as discussed under ''Differences Between this Proposed AD and the MCAI.''

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2023–0197 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023–0197 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2023–0197 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2023–0197. Material referenced in EASA AD 2023–0197 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–0629 after the FAA final rule is published.

Differences Between This Proposed AD and the MCAI

The MCAI applies to Model EC635 P2+, EC635 P3, EC635 T1, and EC635 T3 helicopters, whereas this proposed AD would not because these model helicopters are not FAA type-certificated.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 69 helicopters of U.S. registry. Labor rates are estimated at $85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

Inspecting both flexible couplings for axial displacement would take 8 work-hours for an estimated cost of $680 per helicopter and $46,920 for the U.S. fleet.

If required, replacing both flexible couplings would take 2 work-hours and parts would cost $4,100 for an estimated cost of $4,270 per helicopter. Replacing one flexible coupling would take 1 work-hour and parts would cost $2,050 for an estimated cost of $2,135 per flexible coupling.

If required, correcting the axial displacement of the flexible couplings would take 5 work-hours for an estimated cost of $425 per helicopter.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Helicopters Deutschland GmbH (AHD): Docket No. FAA–2025–0629; Project Identifier MCAI–2023–01183–R.

(a) Comments Due Date

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

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Deutschland GmbH (AHD) Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC635T2+, and EC135T3 helicopters, certificated in any category.

Note 1 to paragraph (c): Helicopters with an EC135P3H designation are Model EC135P3 helicopters and helicopters with an EC135T3H designation are Model EC135T3 helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code 6510, Tail Rotor Drive Shaft.

(e) Unsafe Condition

This AD was prompted by reports of ruptured and deformed flexible couplings. The FAA is issuing this AD to detect axial displacement of the tail rotor drive shaft that exceeds allowable limits. The unsafe condition, if not addressed, could result in cracks and extensive deformation of flexible couplings, high vibration of the tail rotor drive shaft, and subsequent reduced control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2023–0197, dated November 10, 2023 (EASA AD 2023–0197).

(h) Exceptions to EASA AD 2023–0197

(1) Where EASA AD 2023–0197 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2023–0197 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where the material referenced in EASA AD 2023–0197 specifies sending flexible couplings to Airbus Helicopters, this AD requires removing those parts from service.

(4) Where paragraphs (2) and (6) of EASA AD 2023–0197 state ''new,'' this AD requires replacing each instance of that text with ''new (zero hours time-in-service).''

(5) Where paragraph (4) of EASA AD 2023–0197 states ''any discrepancy,'' for the purpose of this AD, discrepancy may be indicated by cracks, mechanical damage, deformation, delamination, corrosion, loose rivets, or damaged surface protection, where these discrepancies exceed the allowable limits as defined in the material referenced in the ASB.

(6) Where paragraph (4) of EASA AD 2023–0197 states ''replace that flexible coupling,'' this AD requires replacing that text with ''replace that flexible coupling with a new (zero hours time-in-service) flexible coupling.''

(7) This AD does not adopt paragraph (7) or the ''Remarks'' section of EASA AD 2023–0197.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0197 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Special Flight Permits

Special flight permits are prohibited.

(k) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards District Office/certificate holding district office.

(l) Additional Information

For more information about this AD, contact Aaron Nguyen, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5134; email: *Aaron.T.Nguyen@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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0197, dated November 10, 2023.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on April 21, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–07111 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0775; Airspace Docket No. 25–AGL–6]

RIN 2120–AA66

Amendment of Class E Airspace; Iron Mountain/Kingsford, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Iron Mountain/Kingsford, MI. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Iron Mountain very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0775 and Airspace Docket No. 25–AGL–6 using any of the following methods:

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

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

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

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E surface airspace and Class E airspace extending upward from 700 feet above the surface at Ford Airport, Iron Mountain/Kingsford, MI, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraphs 6002 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Modifying the Class E surface airspace to within a 4.1-mile (reduced from a 7-mile) radius of Ford Airport, Iron Mountain/Kingsford, MI; within 1 mile each side of the 188° bearing from the airport extending from the 4.1-mile radius to 4.5 miles south of the airport; updating the header of the airspace legal description from ''Iron Mountain, MI'' to ''Iron Mountain/Kingsford, MI'', to coincide with the FAA aeronautical database; removing the city associated with the airport in the header of the airspace legal description to comply with changes to FAA Order JO 7400.2P, Procedures for Handling Airspace Matters; updating the outdated terminology of ''control zone'' to ''Class E surface area'' and ''Airport/Facility Directory'' to ''Chart Supplement''.

Also, modifying the Class E airspace extending from 700 ft above the surface to within a 6.6-mile (decreased from a 8.7-mile) radius of Ford Airport; removing the extension south of the airport as it is no longer needed; amending the extension north of the airport to within 3.6 (decreased from 4.4) miles each side of the 008° bearing from the Ford: RWY 01–LOC (previously Iron Mountain ILS localizer north course) extending from the 6.6-mile (decreased from 8.7-mile) radius of the airport to 11.1 (decreased from 16) miles north of the airport; updating the header from ''Iron Mountain, MI'', to ''Iron Mountain/Kingsford, MI'', to coincide with the FAA's aeronautical database; and removing the city associated with the airport in the header of the airspace legal description to comply with changes to FAA Order JO 7400.2P.

This action is the result of an airspace review due to the decommissioning of the Iron Mountain VOR as part of the VOR MON Program.

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

Authority: 49 U.S.C. 106(f), 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 FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

6002 Class E Airspace Areas Designated as Surface Areas

* * * * *

AGL MI E2 Iron Mountain/Kingsford, MI [Amended]

Ford Airport, MI
(Lat 45°49′06″ N, long 88°06′52″ W)

Within a 4.1-mile radius of Ford Airport; and within 1 mile each side of the 188° bearing from the airport extending from the 4.1-mile radius to 4.5 miles south of the airport. This Class E surface 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.

* * * * *

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

* * * * *

AGL MI E5 Iron Mountain/Kingsford, MI [Amended]

Ford Airport, MI
(Lat 45°49′06″ N, long 88°06′52″ W)
Ford: RWY 01–LOC
(Lat 45°49′57″ N, long 88°06′39″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Ford Airport; and within 3.6 miles each side of the 008° bearing from the Ford: RWY 01–LOC extending from the 6.6-mile radius of the airport to 11.1 miles north of the airport.

* * * * *

Issued in Fort Worth, Texas, on April 22, 2025.

Wayne L. Eckenrode,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025–07164 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0776; Airspace Docket No. 25–AGL–7]

RIN 2120–AA66

Amendment of Class E Airspace; Nappanee, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Nappanee, IN. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Goshen very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. The geographic coordinates of the Nappanee Municipal Airport, Nappanee, IN, would also be updated to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0776 and Airspace Docket No. 25–AGL–7 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

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

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

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Nappanee Municipal Airport, Nappanee, IN, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy*.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received, and any final disposition in

person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

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

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the Class E airspace extending from 700 ft above the surface to within a 6.3-mile (increased from a 6.2-mile) radius of Nappanee Municipal Airport, Nappanee, IN; removing the exclusionary language as it is no longer required; and updating the geographic coordinates of the Nappanee Municipal Airport to coincide with the FAA's aeronautical database.

This action is the result of an airspace review conducted as part of the decommissioning of the Goshen VOR as part of the VOR MON Program.

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

Authority: 49 U.S.C. 106(f), 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 FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

AGL IN E5 Nappanee, IN [Amended]

Nappanee Municipal Airport, IN
(Lat 41°26′46″ N, long 85°56′10″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Nappanee Municipal Airport.

* * * * *

Issued in Fort Worth, Texas, on April 22, 2025.

Wayne L. Eckenrode,

Acting Manager, Operations Support Group, ATO Central Service Center

[FR Doc. 2025–07165 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–1232; Airspace Docket No. 22–ASO–19]

RIN 2120–AA66

Withdrawal of NPRM; Hickory, NC and Morganton, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule, withdrawal.

SUMMARY: The FAA is withdrawing the notice of proposed rulemaking published in the **Federal Register** on October 28, 2022, proposing to amend Class D and Class E airspace in Hickory, NC and Class E airspace in Morganton, NC.

DATES: The FAA is withdrawing the proposed rule published October 28, 2022 (87 FR 65178) as of April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher Stocking, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305–5887.

SUPPLEMENTARY INFORMATION:

Reason for Withdrawal

The FAA is withdrawing the NPRM for Docket No, FAA–2022–1232 (87 FR 65178; October 28, 2022) amending Class D and Class E airspace for Hickory Regional Airport, Hickory, NC and Foothills Regional Airport, Morganton, NC, because the FAA has determined that additional airspace modifications are necessary to fully address the operational requirements in the area. Due to the scope of these changes and the time that has elapsed since the NPRM was published (October 28, 2022), the proposed action no longer accurately reflects the FAA's current plans for the airspace. As a result, the NPRM is being withdrawn. A new rulemaking action will be initiated in the future to propose updated airspace modifications as needed.

Conclusion

The FAA determined that the NPRM published on October 28, 2022, is unnecessary. Therefore, the FAA withdraws that NPRM.

The Withdrawal

Accordingly, pursuant to the authority delegated to me, the NPRM published in the **Federal Register** on October 28, 2022 (87 FR 65178) is hereby withdrawn.

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

Andreese C. Davis,

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

[FR Doc. 2025–06850 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0405; Airspace Docket No. 24–ANM–122]

RIN 2120–AA66

Modification of Class E Airspace; Yellowstone Regional Airport, Cody, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify the Class E airspace extending upward from 700 feet above the surface of the earth to provide additional instrument flight procedure containment at Yellowstone Regional Airport, Cody, WY. Additionally, this action proposes administrative amendments to update the airport's Class E airspace legal description. These actions would support the safety and management of instrument flight rules (IFR) operations at the airport.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0405 and Airspace Docket No. 24–ANM–122 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

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

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 20591; telephone: (202) 267–8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify Class E airspace to support IFR operations at Yellowstone Regional Airport, Cody, WY.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy*.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198.

Incorporation by Reference

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

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to modify the Class E airspace extending upward from 700 feet above the surface of the earth at Yellowstone Regional Airport, Cody, WY and to update the administrative portion of the airport's Class E airspace legal description.

The Class E airspace extending upward from 700 feet above the surface at Yellowstone Regional Airport should be modified in multiple areas. The central radius of the Class E airspace is larger than necessary and should be reduced by 0.3 miles to contain IFR operations more appropriately at the airport. The semi-circle of Class E airspace north-through-east of the airport should be reduced in size, as it no longer serves the purpose of procedure containment within much of the area. An extension should be added to the northeast in its place, approximately 5x7 miles in size, to more appropriately contain the Area Navigation (RNAV) (Global Positioning System [GPS]) Runway (RWY) 4 missed approach procedure until reaching 1,200 feet above the surface and to contain arriving IFR operations below 1,500 feet above the surface when utilizing the RNAV (GPS) RWY 22 approach.

Additionally, the Class E airspace extending upward from 700 feet above the earth should be expanded by one mile to the southwest of the airport to provide additional containment for the RNAV (GPS) RWY 22 missed approach procedure until reaching 1,200 feet above the surface and arriving IFR operations below 1,500 feet above the surface when utilizing the RNAV (GPS) RWY 4 approach.

Lastly, this action proposes to update the administrative portion of the airport's legal description. The airport name on line two is incorrect and should read ''Yellowstone Regional Airport'' to match the FAA's database. Additionally, the airport's geographic coordinates on line three of the legal description are incorrect and should be updated to match the FAA's database.

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

Authority: 49 U.S.C. 106(f), 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 FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ANM WY E5 Cody, WY

Yellowstone Regional Airport, WY
(Lat. 44°31′13″ N, long. 109°01′26″ W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Yellowstone Regional Airport, within 2.6 miles either side of the airport's 050° bearing extending to 13.2 miles northeast of the airport, and within an area between the airport's 179° and 239° bearings extending to its 7.7-mile radius.

* * * * *

Issued in Des Moines, Washington, on April 21, 2025.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2025–07118 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2024–0994]

RIN 1625–AA87

Security Zone; Electric Boat Shipyard, Narragansett Bay, Quonset Point, North Kingstown, RI

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a security zone in the waters adjacent to the General Dynamics Electric Boat Corporation Quonset Point facility in Narragansett Bay, North Kingstown, RI. This action is necessary to protect the facility, material storage areas, and adjacent areas from sabotage or other subversive acts, accidents or incidents of a similar nature. This proposed rulemaking would prohibit all persons and vessels from operating within the prescribed security zone without first obtaining authorization by the Captain of the Port, Sector Southeastern New England or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before May 27, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2024–0994 using the Federal Decision-Making Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further 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 about this proposed rulemaking, call or email Marine Science Technician 2nd Class Nicholas Easley, Waterways Management Division, Sector Southeastern New England, U.S. Coast Guard; telephone

206–827–4160, email *Nicholas.S.Easley@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Southeastern New England
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On August 29, 2024, the U.S. Navy submitted a formal request to the Coast Guard to establish a security zone in the waters adjacent to the General Dynamics Electric Boat Corporation Quonset Point facility in North Kingstown, RI. As a vital part of the U.S. Navy submarine production, the General Dynamics Electric Boat Corporation Quonset Point facility in North Kingstown, RI, relies upon the timely availability of industrial resources to meet national defense and emergency preparedness requirements. The Captain of the Port, Sector Southeastern New England (COTP) has determined that it is in the best interest of national security to establish a permanent security zone to protect the facility, material storage areas, and adjacent areas from sabotage or other subversive acts, accidents or incidents of a similar nature, and to specify the horizontal datum employed to describe the geographic coordinates that establish the zone boundaries. The purpose of this rulemaking is to defend against gaining access for intelligence and hostile purposes.

The Coast Guard may issue security zone regulations under authority in 46 U.S.C. 70051 and 70124.

III. Discussion of Proposed Rule

The Coast Guard proposes to establish a security zone to protect the General Dynamics Electric Boat Corporation Quonset Point facility, material storage areas, and adjacent areas from sabotage or other subversive acts, accidents or incidents of a similar nature. It would include a portion of the navigable waters on Narragansett Bay adjacent to the facility in North Kingstown, RI. The security zone would include all navigable waters of Narragansett Bay, from surface to bottom, south of Quonset Point, North Kingstown, RI, in an area depicted in the below chartlet. The horizontal datum employed to describe the geographic coordinates that establish the zone boundaries are provided in the draft rule provided at the end of this article.

BILLING CODE 9110–04–P

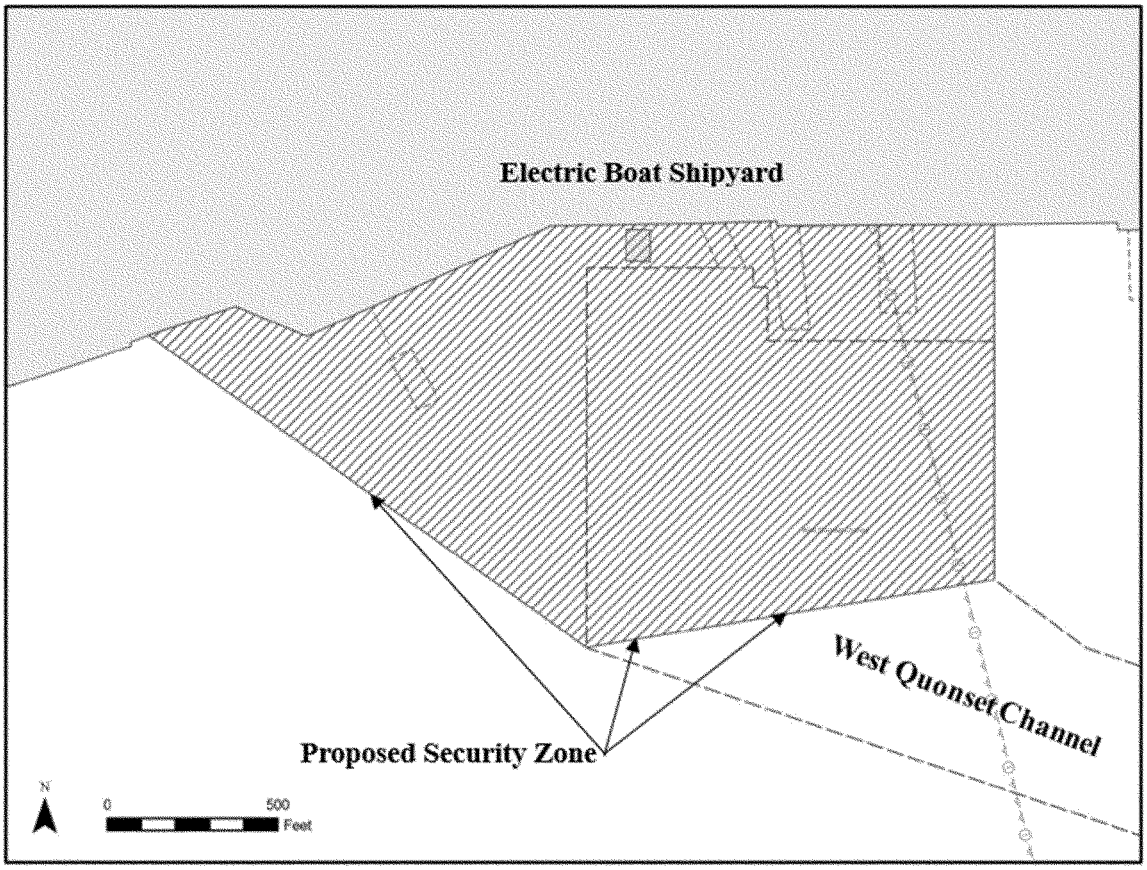

Figure 1: Small scale chartlet showing the position of the proposed security zone in relation to the General Dynamics Electric Boat Corporation Quonset Point facility and the West Quonset Channel.

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 a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

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 NPRM has not been designated a ''significant regulatory action,'' under section 3(f) of Executive Order 12866.

Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size and location of the security zone. Vessel traffic would be able to safely transit around the security zone, which would only impact a small, designated area of the Narragansett Bay.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 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 security zone may be small entities, for the reasons stated in section IV.A above, 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 proposed 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 (Pub. L. 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 call or email 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 not call for a 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 call or email 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 would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 involves a security zone to limit access near Quonset Point, North Kingstown, RI. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. 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–2024–0994 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 you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule 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 click on the Dockets tab and then the proposed rule, you should see a ''Subscribe'' option for email alerts. The option will notify you when comments are posted, or a final rule is published.

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 to the docket 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 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 is revised to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6 and 160.5; Department of Homeland Security Delegation No. 0170.1, Revision No. 01.4.

■ 2. Add § 165.124 to read as follows:

§ 165.124 Security Zone; Electric Boat Shipyard, Narragansett Bay, Quonset Point, North Kingstown, RI.

(a) *Location.* The following area is a security zone: All navigable waters of Narragansett Bay, from surface to bottom, South of Quonset Point, North Kingstown, RI, enclosed by a line beginning at a point on the shoreline at 41°35′06.3″ N, 71°25′33.2″ W; then to 41°34′59.6″ N, 71°25′20.5″ W; then to 41°35′01.0″ N, 71°25′08.7″ W; then to 41°35′08.7″ N, 71°25′08.7″ W; then along the shoreline to the point of beginning. These coordinates are based on North American Datum of 1983.

(b) *Definitions.* As used in this section, *vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except vessels of the Armed Forces, as defined at 14 U.S.C. 527(e).

(c) *Regulations.* (1) Under the general security zone regulations in subpart D of this part, no person or vessel may enter or remain in the security zone described in paragraph (a) of this section without the permission of the Captain of the Port, other than vessels of the Armed Forces, U.S. Government-owned vessels or vessels owned by, under hire to, or performing work for, the Electric Boat Division when operating in the security zone.

(2) This security zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port (COTP) or a designated representative. Vessel operators given permission to enter or operate in the security zones must comply with all directions given to them by the COTP or the designated representative.

(3) The ''designated representative'' is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his/her behalf. The on-scene representative may be on a Coast Guard vessel, a state or local law enforcement vessel, or other designated craft, or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(4) Vessel operators desiring to enter or operate within the security zones shall request permission to do so by contacting the Coast Guard Sector Southeastern New England Command Center at 866–819–9128, or via VHF Channel 16.

Y. Moon,

Captain, U.S. Coast Guard, Captain of the Port, Sector Southeastern New England.

[FR Doc. 2025–07067 Filed 4–24–25; 8:45 am]

BILLING CODE 9110–04–C

Notices

Federal Register
Vol. 90, No. 79
Friday, April 25, 2025

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

Public Quarterly Meeting of the Board of Directors

AGENCY: United States African Development Foundation.

ACTION: Notice of meeting.

SUMMARY: The U.S. African Development Foundation (USADF) will hold its quarterly meeting of the Board of Directors to discuss the agency's programs and administration. This meeting will be virtual.

DATES: The meeting date is Tuesday, April 29, 2025, 9 a.m. to 10 a.m.

ADDRESSES: The meeting location is USADF, 1400 I St. NW, Suite 1000, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Kerline Perry, 202–344–9883.

Authority: Public Law 96–533 (22 U.S.C. 290h).

Dated: April 21, 2025.

Kerline Perry,

Attorney Adviser.

[FR Doc. 2025–07102 Filed 4–24–25; 8:45 am]

BILLING CODE 6117–01–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No AMS–FGIS–24–0077]

Certification of Delegated Authority for Virginia and Wisconsin and Designation Awards for the Geographic Areas of Evansville, Indiana; Lower Northwest Texas; Marshall, Michigan; Pocatello, Idaho; Southeast Texas; Virginia; and West Sacramento, California

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS) is announcing the certification of the Virginia Department of Agriculture and Consumer Services and the Wisconsin Department of Agriculture, Trade and Consumer Protection to provide official services pursuant to a delegation of authority under the United States Grain Standards Act (USGSA or Act), as amended. AMS is also announcing the designation of official agencies to provide official services (at other than export port locations) in the geographic areas listed in Table 2, below.

FOR FURTHER INFORMATION CONTACT: Ronald White, Compliance Officer, Telephone 419–304–7132; Email: *Ronald.L.White@usda.gov* or *FGISQACD@usda.gov.*

SUPPLEMENTARY INFORMATION:

I. Certification of Delegated State Agencies

This notice announces AMS's certification that the Virginia Department of Agriculture and Consumer Services is meeting the criteria required to perform official services at export port locations in the state of Virginia. It also announces that the Wisconsin Department of Agriculture, Trade and Consumer Protection is meeting the criteria required to perform official services at export port locations in Wisconsin and at export port locations at the Port of Duluth in Minnesota.[1] The USGSA (7 U.S.C. 79(e)) requires the Secretary of Agriculture (Secretary) to certify, every five years, that each state agency with a delegation of authority is meeting the criteria for carrying out export inspections on behalf of the Secretary (7 U.S.C. 79(f)(1)(A)). Under the certification process prescribed by the statute, the Secretary must: (1) publish in the **Federal Register** a notice of intent to certify a state agency and provide a 30-day period for public comment; (2) evaluate the public comments received and, in accordance with section 79(e)(3) of the Act, conduct an investigation to determine whether the state agency is qualified; (3) make findings based on the public comments received and the investigation conducted; and (4) publish a notice in the **Federal Register** announcing whether the certification has been granted and describing the basis on which the Secretary made the decision.

For more information about the delegation and certification processes, please see 7 CFR 800.195. Table 1 provides relevant information about the delegations of authority to the Virginia and Wisconsin state agencies to perform official services at export port locations.

TABLE 1—DELEGATED STATE AGENCIES PROVIDING SERVICES AT EXPORT PORT LOCATIONS

State agency	Geographic area	Delegation area descriptions
Virginia Department of Agriculture and Consumer Services, Richmond, VA, 757–494–2455.	Richmond, VA	88 FR 19051 (3/30/2023).
Wisconsin Department of Agriculture, Trade and Consumer Protection, Superior, WI, 715–392–7854.	Superior, WI Duluth, MN	88 FR 19051; (3/30/2023).

A. Virginia Department of Agriculture and Consumer Services

AMS published a notice of intent to certify the Virginia Department of Agriculture and Consumer Services in the March 30, 2023, edition of the **Federal Register** (88 FR 19051). This notice included a request for comments on the quality of services the state agency provided at export port locations in Virginia. Comments were due 30 days after the date of publication.

AMS did not receive any negative comments regarding the state agency's performance. In the absence thereof,

[1] The Wisconsin Department of Agriculture, Trade and Consumer Protection provides official inspection and weighing services at export locations at the Port of Duluth in Minnesota under special agreement.

AMS reviewed and considered performance feedback and data that it collected on the state agency (*e.g.,* grading accuracy, equipment testing, equipment monitoring, and adherence to testing protocols for mycotoxins and falling number values) and conducted an onsite compliance review. The compliance review evaluated the state agency's ability to: (1) provide timely, accurate, and non-discriminatory services (issuance of certificates); (2) implement a quality assurance program; (3) conduct routine testing of equipment and scales; (4) designate a qualified manager to oversee the execution of these required duties; and (5) meet other requirements as specified in section 79(f)(1)(A) of the USGSA.

AMS also conducted an investigation to determine whether the Virginia state agency is qualified to perform official services under section 79(e)(3) of the USGSA. Pursuant to this section, AMS consulted with USDA's Office of Inspector General (OIG), the Department of Justice (DOJ), and the Government Accountability Office (GAO).[2] Neither the compliance review nor the consultations produced findings that would negatively impact the Virginia state agency's ability to perform official services at export port locations. Accordingly, AMS certifies that the Virginia Department of Agriculture and Consumer Services is meeting the criteria required to perform official services at export port locations in Virginia.

B. Wisconsin Department of Agriculture, Trade and Consumer Protection

AMS published a notice of intent to certify the Wisconsin Department of Agriculture, Trade and Consumer Protection in the March 30, 2023, edition of the **Federal Register** (88 FR 19051). This notice included a request for comments on the quality of services the state agency provided at export port locations. Comments were due 30 days after the date of publication.

AMS did not receive any negative comments regarding the state agency's performance. In the absence thereof, AMS reviewed and considered performance feedback and data that it collected on the state agency (*e.g.,* grading accuracy, equipment testing, equipment monitoring, and adherence to testing protocols for mycotoxins and falling number values) and conducted an onsite compliance review. The compliance review evaluated the state agency's ability to: (1) provide timely, accurate, and non-discriminatory services (issuance of certificates); (2) implement a quality assurance program; (3) conduct routine testing of equipment and scales; (4) designate a qualified manager to oversee the execution of these required duties; and (5) meet other requirements as specified in section 79(f)(1)(A) of the USGSA.

AMS also conducted an investigation to determine whether the Wisconsin state agency is qualified to perform official services under section 79(e)(3) of the USGSA. Pursuant to this section, AMS consulted with USDA's OIG, DOJ, and GAO. Neither the compliance review nor the consultations produced findings that would negatively impact the Wisconsin state agency's ability to perform official services at export port locations. Accordingly, AMS certifies that the Wisconsin State Department of Agriculture, Trade and Consumer Protection is meeting the criteria required to provide official services at export port locations in Wisconsin and the Port of Duluth in Minnesota.

II. Designation of Official Agencies

This notice announces AMS's designation of certain official agencies, or the renewal of their designation, to provide official services at locations other than export port locations (See Table 2). Section 79(f) of the USGSA authorizes the Secretary to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services. A designated agency may provide official inspection services and/or Class X or Class Y weighing services at locations other than export port locations. Under section 79(g) of the USGSA, designations of official agencies are effective for no longer than five years but may be renewed according to the criteria and procedures prescribed in section 79(f) of the Act. For more information about the designation process, please see 7 CFR 800.196. To view the applications for these areas, please contact *FGISQACD@usda.gov*.

TABLE 2—DESIGNATED OFFICIAL AGENCIES PROVIDING SERVICES AT OTHER THAN EXPORT PORTS

Official agency	Geographic area	Designation award area descriptions	Designation start	Designation end
Ohio Valley Grain Inspection, Inc., Evansville, Indiana, 812–423–9010.	Evansville, IN	80 FR 37581 (07/01/2015).	10/01/2023	07/31/2025
Michigan Grain Inspection Services, Inc., Marshall, Michigan, 312–823–6318.	Marshall, MI	81 FR 17428, (03/29/2016).	04/01/2024	03/31/2027
Plainview Grain Inspection and Weighing Service, Inc., Plainview, TX, 806–293–1364.	Lower Northwest TX	89 FR 58327 (07/18/2024).	12/01/2024	03/31/2027
Virginia Department of Agriculture and Consumer Services, Richmond, Virginia, 757–494–2455.	Richmond, VA	88 FR 37580, (07/01/2015).	01/01/2024	12/31/2027
Midsouth Grain Inspection Service, Memphis, Tennessee, 870–270–0769.	Southeast TX	89 FR 58327 (07/18/2024).	03/01/2025	03/31/2028
Idaho Grain Inspection Service, Inc., Pocatello, Idaho, 208–233–8303.	Pocatello, ID	80 FR 37581 (07/01/2015).	10/01/2022	09/30/2028
California Agri Inspection Company, Ltd., West Sacramento, California, 916–374–9700.	West Sacramento, CA	88 FR 37580 (07/01/2015).	01/01/2024	12/31/2028

AMS sought applications from interested private and state entities to provide official inspection and weighing services in the geographic areas listed in Tables 2 and 3. AMS also requested comments on the services provided by the official agencies. The requests were published in the **Federal Register**, and each offered a 30-day comment period from the publication date. AMS did not receive any negative comments regarding the performance of the official

[2] GAO advised that it does not have authority over state agencies and was unable to provide relevant information.

agencies. Table 3, below, identifies the editions of the **Federal Register** in which AMS provided notice of the designation opportunities for the listed geographic areas and requested comments on the listed official agencies.

TABLE 3—FEDERAL REGISTER NOTICES ANNOUNCING OPPORTUNITIES FOR GEOGRAPHIC AREAS AND REQUESTING COMMENTS

Official agency	Geographic area	**Federal Register**
Idaho Grain Inspection Service, Inc	Pocatello, Idaho	88 FR 19051 (03/30/2023).
Ohio Valley Grain Inspection, Inc	Evansville, Indiana	88 FR 19051 (03/30/2023).
California Agri Inspection Company, Ltd	West Sacramento, California	88 FR 19051 (03/30/2023).
Virginia Department of Agriculture and Consumer Services	Richmond, Virginia	88 FR 19051 (03/30/2023).
Michigan Grain Inspection Services, Inc	Marshall, Michigan	88 FR 78283 (11/15/2023).
Midsouth Grain Inspection Service [3]	Southeast Texas Area	89 FR 58327 (07/18/2024); 89 FR 75526 (09/16/2024).
Plainview Grain Inspection and Weighing Service, Inc [4]	Lower Northwest Texas Area	89 FR 58327 (07/18/2024); 88 FR 78283 (11/15/2023).

[3] There are two **Federal Register** citations in this row of Table 3 because AMS announced the designation opportunity in Southeast Texas in a different edition of the **Federal Register** (89 FR 58327) than the edition in which the agency requested comments on services provided by Midsouth Grain Inspection Service (89 FR 75526).

[4] There are two **Federal Register** citations in this row of Table 3 because AMS announced the designation opportunity in Lower Northwest Texas in a different edition of the **Federal Register** (89 FR 58327) than the edition in which the agency requested comments on services provided by Plainview Grain Inspection and Weighing Service, Inc. (88 FR 78283).

AMS reviewed and considered performance feedback and data that it collected on the designated agencies (*e.g.,* grading accuracy, equipment testing, equipment monitoring, and adherence to testing protocols for mycotoxins and falling number values) and conducted onsite compliance reviews. As part of these reviews, AMS evaluated: (1) the agencies' past compliance and supervision audit results; (2) quality program performance; (3) stability, quality, and consistency of service; (4) cooperation with FGIS; (5) adequacy of resources; (6) timely service and issuance of certificates; and (7) cost of inspection services. If instances of noncompliance were found, agencies were required to correct the issues before their performance review was finalized.

The official agencies listed in Tables 2 and 3 were the only applicants for designation in those geographic areas, with the exception of the Southeast Texas area. In the July 18, 2024 **Federal Register** (89 FR 58327), AMS requested comments about the need for USGSA inspection and weighing services in the Southeast Texas area as well as applications for designation to provide official services in that area. AMS received designation applications from Midsouth Grain Inspection Service (Midsouth) and Grain Inspection Services of Texas (GIST). In the September 16, 2024, edition of the **Federal Register**, AMS requested comments on both applicants. Midsouth is currently a designated official agency in good standing with AMS and the industry, with over 45 years of experience as an official agency. GIST is currently a designated official agency in good standing with AMS and the industry with less than one year of experience as an official agency.

In analyzing applications for the Southeast Texas area, AMS evaluated applicants by considering the designation criteria in Section 79(f) of the USGSA (7 U.S.C. 79(f)), the recent audit report for Midsouth detailing the applicant's performance of the designation criteria, customers' experience with the official service provider, public comments received related to the designation opportunity notice (89 FR 75526), current service agreements, and details provided in the application. Applications generally include information on an applicant's business plan to service the area, active licenses and service availability, fees, overall service costs, and proximity to customers and facilities. Midsouth meets the designation criteria established under the USGSA and is operating with comparable costs for most service requests. GIST is a new entity with less than one year of experience as an official agency. After considering all of the available information concerning both agencies, AMS determined that the Southeast Texas area should be awarded to Midsouth at this time.

Melissa Bailey,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2025–07128 Filed 4–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments regarding these information collections are best assured of having their full effect if received by September 28, 2020. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information

unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: USDA Farmers Market Application.

OMB Control Number: 0581–0229.

Summary of Collection: The Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) directs and authorizes the Secretary to conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market packaging, handling, transporting, distributing, and marketing agricultural products. It is the mission of AMS to experiment with direct marketing techniques and to educate consumers on the benefits of the use of such agricultural products. The USDA Farmers Market falls well within these guidelines.

Need and Use of the Information: The information collected on the Application allows AMS the means to review and select participants for the annual market season. Applicants can apply online at *www.ManageMyMarket.com.* The type of information requested on the website for the application includes: (1) Certification the applicant is the owner or representative of the farm or business; (2) applicant contact information including name(s), address, phone number, and email address; (3) farm or business location; (4) types of products grown or to be sold; (5) business practices and direct sourcing relationships with local farmers, ranchers and growers; (6) weekly sales data; (7) insurance coverage; and (8) all applicable food safety documents. Vendors selected to the market provide a signed copy of the Participant Agreement, which states that the vendor has read, understands and agrees to adhere to all applicable rules and guidelines as outlined in the USDA Farmers Market Rules, Procedures, and Operating Guidelines. Sales Data is collected from vendors weekly. This information is useful in letting AMS know how well the market and vendors are doing overall.

Description of Respondents: Business or other for-profit; Farms; Individuals.

Number of Respondents: 68.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 201.

Rachelle Ragland-Greene,

Departmental Information Collection Officer.

[FR Doc. 2025–07159 Filed 4–24–25; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments regarding these information collections are best assured of having their full effect if received by September 28, 2020. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: USDA Web Based Supply Chain Management System (WBSCM).

OMB Control Number: 0581–0273.

Summary of Collection: Section 32 of the Act of August 24, 1935, as amended (sec. 32, Public Law 74–320; 7 U.S.C. 612c); sections 6(a) and (e), 13, and 17 of the National School Lunch Act, as amended, (42 U.S.C. 1751, 1761, and 1766) in addition to several other acts authorize the Agricultural Marketing Service (AMS) Procurement Branches to prepare and issue announcements for the purchase and sale of perishable agricultural commodities. AMS purchases agricultural commodities for the Section 32 and 6a & e National School Lunch Program/Child & Adult Care Food Program; Nutrition Service Incentive Program; Food Distribution Program on Indian Reservations; Commodity Supplemental Food Program; The Emergency Food Assistance Program and Disaster Feeding in addition to providing support for commodity markets with surplus inventory.

Need and Use of the Information: AMS issues solicitation for offers in order to solicit bids for commodities and transportation costs for delivery to domestic and international nutrition assistance programs. Vendors respond by making electronic offers using the secure Web Based Supply Chain Management System (WBSCM) *https://portal.wbscm.usda.gov.* Vendors must be registered to submit bids electronically through WBSCM via the internet. The information will change in response to the needs of the feeding programs and each solicitation. It is necessary to collect the information recorded on the offer screens to determine who the successful bidder is under solicitations to purchase products and services.

Description of Respondents: Business or other for profit; Farms.

Number of Respondents: 500.

Frequency of Responses: Reporting: On occasion; Weekly; Monthly; Quarterly.

Total Burden Hours: 50,399.

Rachelle Ragland-Greene,

Departmental Information Collection Officer.

[FR Doc. 2025–07158 Filed 4–24–25; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: Whether the collection of information is necessary

for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments regarding these information collections are best assured of having their full effect if received by September 28, 2020. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: Regulations and Related Reporting and Recording Requirements—FTPP, Packers and Stockyards Division.

OMB Control Number: 0581–0308.

Summary of Collection: The Agricultural Marketing Service (AMS) administers the provisions of the Packers and Stockyards Act of 1921 (Act), as amended and supplemented (7 U.S.C. 181–229c). The Act is designed to protect the financial interests of livestock and poultry producers engaged in commerce of livestock and live poultry sold for slaughter. It also protects members of the livestock and poultry marketing, processing, and merchandising industries from unfair, unjustly discriminatory, deceptive, or anti-competitive practices in the livestock, meat, and poultry industries. AMS will collect information using several forms.

Need and Use of the Information: Through the forms in this information collection, the Fair-Trade Practices Program (FTPP), Packers and Stockyards Division (PSD) gathers information that keeps PSD current on the ownership and operations of regulated entities which permit PSD oversight of the regulated entities. For example, PSD gathers information regarding the number of head of livestock purchased and the cost of the livestock to determine if the entity is adequately bonded to protect the livestock sellers. The information regarding the number of livestock purchased is also consolidated for public reporting in PSD's annual report. Other financial information is gathered to determine if the regulated entities are operating while solvent as required by the P&S Act. This information collection is necessary for PSD to monitor and examine financial, competitive, and trade practices in the livestock, meat packing and poultry industries.

Description of Respondents: Business or other for-profit.

Number of Respondents: 11,320.

Frequency of Responses: Recordkeeping; Third party disclosure; Reporting: On occasion; Semi-annually; Annually.

Total Burden Hours: 49,339.

Rachelle Ragland-Greene,

Departmental Information Collection Officer.

[FR Doc. 2025–07163 Filed 4–24–25; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and approval under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments regarding these information collections are best assured of having their full effect if received by May 27, 2025. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: USDA Farmers Market Application.

OMB Control Number: 0581–0229.

Summary of Collection: The Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) directs and authorizes the Secretary to conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market packaging, handling, transporting, distributing, and marketing agricultural products. It is the mission of AMS to experiment with direct marketing techniques and to educate consumers on the benefits of the use of such agricultural products. The USDA Farmers Market falls well within these guidelines.

Need and Use of the Information: The information collected on the Application allows AMS the means to review and select participants for the annual market season. Applicants can apply online at *www.ManageMyMarket.com.* The type of information requested on the website for the application includes: (1) Certification the applicant is the owner or representative of the farm or business; (2) applicant contact information including name(s), address, phone number, and email address; (3) farm or business location; (4) types of products grown or to be sold; (5) business practices and direct sourcing relationships with local farmers, ranchers and growers; (6) weekly sales data; (7) insurance coverage; and (8) all applicable food safety documents. Vendors selected to the market provide a signed copy of the Participant Agreement, which states that the vendor has read, understands and agrees to adhere to all applicable rules and

guidelines as outlined in the USDA Farmers Market Rules, Procedures, and Operating Guidelines. Sales Data is collected from vendors weekly.

This information is useful in letting AMS know how well the market and vendors are doing overall.

Description of Respondents: Business or other for-profit; Farms; Individuals.

Number of Respondents: 68.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 201.

Agricultural Marketing Service

Title: USDA Web Based Supply Chain Management System (WBSCM).

OMB Control Number: 0581–0273.

Summary of Collection: Section 32 of the Act of August 24, 1935, as amended (Section 32 Pub. L. 74–320; 7 U.S.C. 612c); Sections 6(a) and (e), 13, and 17 of the National School Lunch Act, as amended, (42 U.S.C. 1751, 1761, and 1766) in addition to several other acts authorize the Agricultural Marketing Service (AMS) Procurement Branches to prepare and issue announcements for the purchase and sale of perishable agricultural commodities. AMS purchases agricultural commodities for the Section 32 and 6a & e National School Lunch Program/Child & Adult Care Food Program; Nutrition Service Incentive Program; Food Distribution Program on Indian Reservations; Commodity Supplemental Food Program; The Emergency Food Assistance Program and Disaster Feeding in addition to providing support for commodity markets with surplus inventory.

Need and Use of the Information: AMS issues solicitation for offers in order to solicit bids for commodities and transportation costs for delivery to domestic and international nutrition assistance programs. Vendors respond by making electronic offers using the secure Web Based Supply Chain Management System (WBSCM) *https://portal.wbscm.usda.gov.* Vendors must be registered to submit bids electronically through WBSCM via the internet. The information will change in response to the needs of the feeding programs and each solicitation.

It is necessary to collect the information recorded on the offer screens to determine who the successful bidder is under solicitation to purchase products and services.

Description of Respondents: Business or other for profit; Farms.

Number of Respondents: 500.

Frequency of Responses: Reporting: On occasion; Weekly; Monthly; Quarterly.

Total Burden Hours: 50,399.

Agricultural Marketing Service

Title: Regulations and Related Reporting and Recording Requirements—FTPP, Packers and Stockyards Division.

OMB Control Number: 0581–0308.

Summary of Collection: The Agricultural Marketing Service (AMS) administers the provisions of the Packers and Stockyards Act of 1921 (Act), as amended and supplemented (7 U.S.C. 181–229c). The Act is designed to protect the financial interests of livestock and poultry producers engaged in commerce of livestock and live poultry sold for slaughter. It also protects members of the livestock and poultry marketing, processing, and merchandising industries from unfair, unjustly discriminatory, deceptive, or anti-competitive practices in the livestock, meat, and poultry industries. AMS will collect information using several forms.

Need and Use of the Information: Through the forms in this information collection, the Fair-Trade Practices Program (FTPP), Packers and Stockyards Division (PSD) gathers information that keeps PSD current on the ownership and operations of regulated entities which permit PSD oversight of the regulated entities. For example, PSD gathers information regarding the number of head of livestock purchased and the cost of the livestock to determine if the entity is adequately bonded to protect the livestock sellers. The information regarding the amount of livestock purchased is also consolidated for public reporting in PSD's annual report. Other financial information is gathered to determine if the regulated entities are operating while solvent as required by the P&S Act.

This information collection is necessary for PSD to monitor and examine financial, competitive, and trade practices in the livestock, meat packing and poultry industries.

Description of Respondents: Business or other for-profit.

Number of Respondents: 11,320.

Frequency of Responses: Recordkeeping; Third party disclosure; Reporting: On occasion; Semi-annually; Annually.

Total Burden Hours: 49,339.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–07146 Filed 4–24–25; 8:45 am]

BILLING CODE 3410–02–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Rhode Island Advisory Committee; Correction

AGENCY: Commission on Civil Rights

ACTION: Notice; correction.

SUMMARY: The Commission on Civil Rights is correcting its meeting notice for the Rhode Island Advisory Committee.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, 434–515–0204, *vmoreno@usccr.gov.*

SUPPLEMENTARY INFORMATION: The Commission on Civil Rights is correcting its notice of the Rhode Island Advisory Committee that published in the **Federal Register** on April 4, 2025, 90 FR 14776.

Correction

In the **Federal Register** of Friday, April 4, 2025, in FR Doc. 2025–05761, in the third column of page 14776, correct the **DATES** caption to read:

DATES: Wednesday, April 30, 2025, at 3 p.m. (ET).

Dated: April 22, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–07177 Filed 4–24–25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Arizona Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that a virtual business meeting of the Arizona Advisory Committee (Committee) to the U.S. Commission on Civil Right will convene via ZoomGov on Friday, May 2, 2025, at 11:00 a.m. Arizona Time. The purpose of the meeting is to review and vote on the Committee's Op-Ed.

DATES: The meeting will take place on: Friday, May 2, 2025, from 11:00 a.m.–12:00 p.m. Arizona Time.

Webinar Zoom Link to Join (Audio/Visual): https://www.zoomgov.com/s/1603240873.

Telephone (Audio Only) Dial: 1–833–435–1820 (US Toll-free); Webinar ID: 160 324 0873.

FOR FURTHER INFORMATION CONTACT: Ana Fortes, DFO, at *afortes@usccr.gov* or (202) 681–0857.

SUPPLEMENTARY INFORMATION: Committee meetings are available to the public through the videoconference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Angelica Trevino, Support Services Specialist, at *atrevino@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments can be sent via email to Ana Fortes (DFO) at *afortes@usccr.gov*.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Arizona Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *atrevino@usccr.gov.*

Agenda

I. Welcome, Roll Call, and Announcements
II. Review Op-Ed
III. Public Comment
IV. Good of the Order
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 due to the availability of staff and the Committee.

Dated: April 22, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–07173 Filed 4–24–25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the North Carolina Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the North Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual, public meeting via Zoom at 1 p.m. ET on Monday, April 28, 2025. The purpose of this meeting is to discuss the Committee's report on the topic, *Civil Rights and the Child Welfare System in North Carolina.*

DATE: Monday, April 28, 2025, from 1 p.m.–2:30 p.m. Eastern Time

ADDRESS: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_Hu4ZlzufRRev2_J6eUa23w.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 160 804 8032.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes, Designated Federal Officer, at *afortes@usccr.gov* or (202) 681–0857.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Ana Victoria Fortes at *afortes@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 681–0857.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via the file sharing website, *www.box.com.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

I. Welcome & Roll Call
II. Committee Discussion
III. Public Comment
IV. Next Steps
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 due to the availability of staff and the Committee.

Dated: April 21, 2025

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–07117 Filed 4–24–25; 8:45 am]

BILLING CODE 6335–01–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: Thursday, May 8, 2025, at 2 p.m. Mountain Time and Wednesday, May 21, 2025, at 3 p.m. Mountain Time. The purpose of both meetings is to plan virtual briefings on

the topic of examining campus antisemitism at three Colorado universities.

DATES: Thursday, May 8, 2025, at 2 p.m. Mountain Time.

Wednesday, May 21, 2025, at 3 p.m. Mountain Time.

ADDRESSES: The meetings will be held via Zoom.

5/8/25 Meeting Link (Audio/Visual): https://tinyurl.com/4xka9zjf.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Meeting ID: 161 144 1160 #.

5/21/25 Meeting Link (Audio/Visual): https://tinyurl.com/2awjwsc4.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Meeting ID: 160 946 3558 #.

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, please email *ebohor@usccr.gov* at least 10 business days prior to each meeting.

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.

Records generated from these meetings may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after each meeting. Records of the meetings will be available via the file sharing website: *https://usccr.box.com/s/aq52obvbs8uhkx2a0198po94elwbf2vl.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *ebohor@usccr.gov.*

Agendas

May 8 and May 21, 2025

I. Welcome and Roll Call
II. Planning for July and August virtual briefings
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: April 21, 2025

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–07116 Filed 4–24–25; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 250422–0071]

XRIN 0694–XC125

Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Trucks

AGENCY: Bureau of Industry and Security, Office of Strategic Industries and Economic Security, U.S. Department of Commerce.

ACTION: Notice of request for public comments.

SUMMARY: On April 22, 2025, the Secretary of Commerce initiated an investigation to determine the effects on the national security of imports of medium-duty trucks, heavy-duty trucks, and medium- and heavy-duty truck parts, and their derivative products. This investigation has been initiated under section 232 of the Trade Expansion Act of 1962, as amended (Section 232). Interested parties are invited to submit written comments, data, analyses, or other information pertinent to the investigation to the Department of Commerce's (Department) Bureau of Industry and Security (BIS), Office of Strategic Industries and Economic Security. This notice identifies issues on which the Department is especially interested in obtaining the public's views.

DATES: Comments may be submitted at any time but must be received by May 16, 2025.

ADDRESSES: Comments on this notice may be submitted to the Federal rulemaking portal at: *www.regulations.gov.* The *regulations.gov* ID for this notice is BIS–2025–0024. Please refer to XRIN 0694–XC125 in all comments.

All filers using the portal should use the name of the person or entity submitting the comments as the name of their files, in accordance with the instructions below. Anyone submitting business confidential information should clearly identify the business confidential portion at the time of submission, file a statement justifying nondisclosure and referring to the specific legal authority claimed, and provide a non-confidential version of the submission. For comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters ''BC.'' Any page containing business confidential information must be clearly marked ''BUSINESS CONFIDENTIAL'' on the top of that page. The corresponding non-confidential version of those comments must be clearly marked ''PUBLIC.'' The file name of the non-confidential version should begin with the character ''P.'' Any submissions with file names that do not begin with either a ''BC'' or a ''P'' will be assumed to be public and will be made publicly available at: *https://www.regulations.gov.* Commenters submitting business confidential information are encouraged to scan a hard copy of the non-confidential version to create an image of the file, rather than submitting a digital copy with redactions applied, to avoid inadvertent redaction errors which could enable the public to read business confidential information.

FOR FURTHER INFORMATION CONTACT: Stephen Astle, Director, Defense Industrial Base Division, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce (202) 482–2533, *trucks232@bis.doc.gov.* For more information about the Section 232 program, including the regulations and the text of previous investigations, see *www.bis.doc.gov/232.*

SUPPLEMENTARY INFORMATION:

Background

On April 22, 2025, the Secretary of Commerce initiated an investigation

under Section 232 (19 U.S.C. 1862) to determine the effects on national security of imports of medium-duty trucks, heavy-duty trucks, and medium- and heavy-duty truck parts, and their derivatives.

The term ''medium-duty trucks'' means trucks with a gross vehicle weight of more than 10,000 and under 26,001 pounds. The term ''heavy-duty trucks'' means trucks with a gross vehicle weight rating of 26,001 pounds or more. For the purposes of this investigation, trucks are motor vehicles for the transport of goods. The term ''medium- and heavy-duty truck parts'' refers to the individual components and systems of medium- and heavy-duty trucks, including engines and engine parts, transmissions and powertrain parts, and electrical components. Hereafter, ''medium-duty trucks,'' heavy-duty trucks,'' and ''medium- and heavy-duty truck parts'' shall be referred to collectively as ''trucks and truck parts.''

Request for Public Comments

This investigation is being undertaken in accordance with part 705 of the National Security Industrial Base Regulations (15 CFR parts 700 to 709) (NSIBR). Interested parties are invited to submit written comments, data, analyses, or information pertinent to this investigation to BIS's Office of Strategic Industries and Economic Security no later than May 16, 2025. The Department is particularly interested in comments and information directed at the criteria listed in § 705.4 of the regulations as they affect national security, including the following:

(i) The current and projected demand for trucks and truck parts in the United States;

(ii) The extent to which domestic production of trucks and truck parts can meet domestic demand;

(iii) The role of foreign supply chains, particularly of major exporters, in meeting United States demand for trucks and truck parts;

(iv) The concentration of United States imports of trucks and truck parts from a small number of suppliers and the associated risks;

(v) The impact of foreign government subsidies and predatory trade practices on the competitiveness of the medium- and heavy-duty truck industry in the United States;

(vi) The economic impact of artificially suppressed prices of trucks and truck parts due to foreign unfair trade practices and state-sponsored overproduction;

(vii) The potential for export restrictions by foreign nations, including the ability of foreign nations to weaponize their control over supplies of trucks and truck parts;

(viii) The feasibility of increasing domestic capacity for trucks and truck parts to reduce import reliance;

(ix) The impact of current trade policies on domestic production of trucks and truck parts, and whether additional measures, including tariffs or quotas, are necessary to protect national security; and

(x) Any other relevant factors.

Material submitted by members of the public that is business confidential information will be exempted from public disclosure as provided for by § 705.6 of the regulations (see the **ADDRESSES** section of this notice). Communications from agencies of the United States Government will not be made available for public inspection. BIS does not maintain a separate public inspection facility. Requesters should first view the Bureau's web page, which can be found at: *https://efoia.bis.doc.gov/* (see ''Electronic FOIA'' heading). If requesters cannot access the website, they may call (202) 482–0795 for assistance. The records related to this assessment are made accessible in accordance with the regulations published at 15 CFR 4.1, *et seq.*

Eric Longnecker,

Deputy Assistant Secretary for Technology Security.

[FR Doc. 2025–07260 Filed 4–23–25; 4:15 pm]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 250422–0070]

XRIN 0694–XC124

Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Processed Critical Minerals and Derivative Products

AGENCY: Bureau of Industry and Security, Office of Strategic Industries and Economic Security, U.S. Department of Commerce.

ACTION: Notice of request for public comments.

SUMMARY: On April 22, 2025, the Secretary of Commerce initiated an investigation to determine the effects on the national security of imports of processed critical minerals as well as their derivative products. This investigation has been initiated under section 232 of the Trade Expansion Act of 1962, as amended (Section 232). Interested parties are invited to submit written comments, data, analyses, or other information pertinent to the investigation to the Department of Commerce's (Department) Bureau of Industry and Security (BIS), Office of Strategic Industries and Economic Security. This notice identifies issues on which the Department is especially interested in obtaining the public's views.

DATES: Comments may be submitted at any time but must be received by May 16, 2025.

ADDRESSES: Comments on this notice may be submitted to the Federal rulemaking portal at: *www.regulations.gov.* The *regulations.gov* ID for this notice is BIS–2025–0025. Please refer to XRIN 0694–XC124 in all comments.

All filers using the portal should use the name of the person or entity submitting the comments as the name of their files, in accordance with the instructions below. Anyone submitting business confidential information should clearly identify the business confidential portion at the time of submission, file a statement justifying nondisclosure and referring to the specific legal authority claimed, and provide a non-confidential version of the submission. For comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters ''BC.'' Any page containing business confidential information must be clearly marked ''BUSINESS CONFIDENTIAL'' on the top of that page. The corresponding non-confidential version of those comments must be clearly marked ''PUBLIC.'' The file name of the non-confidential version should begin with the character ''P.'' Any submissions with file names that do not begin with either a ''BC'' or a ''P'' will be assumed to be public and will be made publicly available at: *https://www.regulations.gov.* Commenters submitting business confidential information are encouraged to scan a hard copy of the non-confidential version to create an image of the file, rather than submitting a digital copy with redactions applied, to avoid inadvertent redaction errors which could enable the public to read business confidential information.

FOR FURTHER INFORMATION CONTACT: Stephen Astle, Director, Defense Industrial Base Division, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce

(202) 482–2533, *minerals232@bis.doc.gov.* For more information about the Section 232 program, including the regulations and the text of previous investigations, see *www.bis.doc.gov/232.*

SUPPLEMENTARY INFORMATION:

Background

On April 15, 2025, the President issued Executive Order 14272, Ensuring National Security and Economic Resilience through Section 232 Actions on Processed Critical Minerals and Derivative Products (90 FR 16437), instructing the Secretary of Commerce (''Secretary'') to initiate an investigation under Section 232 (19 U.S.C. 1862) to determine the effects on national security of imports of processed critical minerals and derivative products. On April 22, 2025, the Secretary of Commerce initiated the Section 232 investigation.

Executive Order 14272 defines the following terms as used in this notice. The term ''critical minerals'' means those minerals included in the ''Critical Minerals List'' published by the United States Geological Survey (USGS) pursuant to section 7002(c) of the Energy Act of 2020 (30 U.S.C. 1606) at 87 FR 10381, or any subsequent such list. The term ''critical minerals'' also includes uranium. The term ''rare earth elements'' means the 17 elements identified as rare earth elements by the Department of Energy (DOE) in the April 2020 publication, ''Critical Materials Rare Earths Supply Chain.'' Generally, rare earth elements are considered a subset of critical minerals. The term also includes any additional elements that either the USGS or DOE determines in any subsequent official report or publication should be considered rare earth elements. The term ''processed critical minerals'' refers to critical minerals that have undergone the activities that occur after critical 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. The term ''derivative products'' includes all goods that incorporate processed critical minerals as inputs. These goods include semi-finished goods (*e.g.,* anodes and cathodes) as well as final products (*e.g.,* motors, batteries, radar systems, wind turbines and their components, and advanced optical devices).

Request for Public Comments

This investigation is being undertaken in accordance with part 705 of the National Security Industrial Base Regulations (15 CFR parts 700 to 709) (NSIBR). Interested parties are invited to submit written comments, data, analyses, or information pertinent to this investigation to BIS's Office of Strategic Industries and Economic Security no later than May 16, 2025. The Department is particularly interested in comments and information directed at the criteria listed in § 705.4 of the regulations as they affect national security, including the following:

(i) Identification of United States imports of all processed critical minerals and derivative products;

(ii) The foreign sources by percentage and volume of all processed critical mineral imports and derivative product imports, the specific types of risks that may be associated with each source by country, and those source countries deemed to be of significant risk;

(iii) An analysis of the distortive effects of the predatory economic, pricing, and market manipulation strategies and practices used by countries that process critical minerals that are exported to the United States, including the distortive effects on domestic investment and the viability of United States production, as well as an assessment of how such strategies and practices permit such countries to maintain their control over the critical minerals processing sector and distort United States market prices for derivative products;

(iv) An analysis of the demand for processed critical minerals by manufacturers of derivative products in the United States and globally, including an assessment of the extent to which such manufacturers' demand for processed critical minerals originates from countries identified under questions (ii) and (iii) of this notice;

(v) A review and risk assessment of global supply chains for processed critical minerals and their derivative products;

(vi) An analysis of the current and potential capabilities of the United States to process critical minerals and their derivative products;

(vii) The dollar value of the current level of imports of all processed critical minerals and derivative products by total value and country of export; and

(viii) Any other relevant factors.

Material submitted by members of the public that is business confidential information will be exempted from public disclosure as provided for by § 705.6 of the regulations (see the **ADDRESSES** section of this notice). Communications from agencies of the United States Government will not be made available for public inspection. BIS does not maintain a separate public inspection facility. Requesters should first view the Bureau's web page, which can be found at: *https://efoia.bis.doc.gov/* (see ''Electronic FOIA'' heading). If requesters cannot access the website, they may call (202) 482–0795 for assistance. The records related to this assessment are made accessible in accordance with the regulations published at 15 CFR 4.1, *et seq.*

Eric Longnecker,

Deputy Assistant Secretary for Technology Security.

[FR Doc. 2025–07273 Filed 4–23–25; 4:15 pm]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–169]

Certain Alkyl Phosphate Esters From the People's Republic of China: Final Affirmative Countervailing Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain alkyl phosphate esters (alkyl phosphate esters) from the People's Republic of China (China). The period of investigation (POI) is January 1, 2023, through December 31, 2023.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Benjamin Nathan or Gregory Taushani, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3834 or (202) 482–1012, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 2024, Commerce published in the **Federal Register** its preliminary determination in the countervailing duty (CVD) investigation of alkyl phosphate esters from China and invited interested parties to

comment.[1] In the *Preliminary Determination,* and in accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4), Commerce aligned the final CVD determination with the final determination in the less-than-fair-value investigation of alkyl phosphate esters.[2] On January 3, 2025, Commerce released its Post-Preliminary Analysis.[3]

For a complete description of the events that followed the *Preliminary Determination, see* the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are alkyl phosphate esters from China. For a complete description of the scope of the investigation, *see* Appendix I.

Scope Comments

We received no comments from interested parties on the scope of the investigation as it appeared in the *Preliminary Determination.* Therefore, we made no changes to the scope of the investigation.

Verification

As provided in section 782(i) of the Act, Commerce conducted verification of the subsidy information reported by company respondents Anhui RunYue Technology Co., Ltd. (Anhui RunYue) and Zhejiang Wansheng Technology Co., Ltd. (Zhejiang Wansheng), and the Government of China's questionnaire responses pertaining to the Export Buyer's Credit Program.[5]

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation, and the issues raised in the case and rebuttal briefs by parties in this investigation, are discussed in the Issues and Decision Memorandum. For a list of the issues raised by parties, and to which we responded in the Issues and Decision Memorandum, *see* Appendix II.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[6] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum. In making this final determination, Commerce relied, in part, on facts otherwise available, including with an adverse inference, pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of adverse facts available (AFA), *see* the *Preliminary Determination*[7] and the Issues and Decision Memorandum at Comments 2, 6, and 8.

Changes Since the Preliminary Determination and Post-Preliminary Analysis

Based on our review and analysis of the information received during verification and comments received from parties, for this final determination, we made certain changes to the countervailable subsidy rate calculations for Anhui RunYue, Zhejiang Wansheng, and all other producers/exporters. For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an individual estimated countervailable subsidy rate for the two mandatory respondents, Anhui RunYue and Zhejiang Wansheng. Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act.

In this investigation, we continue to calculate individual total net countervailable subsidy rates for Anhui RunYue and Zhejiang Wansheng that are not zero, *de minimis,* or based entirely on facts otherwise available. We, therefore, continue to calculate the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged sales value for their exports to the United States of subject merchandise,[8] in accordance with section 705(c)(5)(A)(i) of the Act.

Final Determination

Commerce determines that the following estimated net countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

[1] *See Certain Alkyl Phosphate Esters from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 89 FR 80870 (October 1, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 89 FR at 80871.

[3] *See* Memorandum, ''Post Preliminary Analysis,'' dated January 3, 2025 (Post-Preliminary Analysis Memorandum).

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of the Countervailing Duty Investigation of Alkyl Phosphate Esters from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memoranda, ''Verification of the Questionnaire Responses of the Government of China,'' dated November 22, 2024; *see also* ''Verification of the Questionnaire Responses of Anhui RunYue Technology Co., Ltd.,'' dated February 26, 2025; and ''Verification of the Questionnaire Responses of Zhejiang Wansheng Co., Ltd.,'' dated February 26, 2025.

[6] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[7] *See Preliminary Determination* PDM at 11–29.

[8] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010); *see also Forged Steel Fluid End Blocks from Italy: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination,* 85 FR 31460, 31461 (May 26, 2020), unchanged in *Forged Steel Fluid End Blocks from Italy: Final Affirmative Countervailing Duty Determination,* 85 80022, 80023 (December 11, 2020).

Company	Subsidy rate (percent *ad valorem*)
Anhui RunYue Technology Co., Ltd.; Yixing RunYue Enterprise Management Co., Ltd.[9]	117.51
Zhejiang Wansheng Co., Ltd.[10]	81.82
Zhejiang Wanda Tools Group Corp	*491.21
All Others	91.07

*Rate is based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose its calculations performed to interested parties in this final determination within five days of its public announcement or, if there is no public announcement, within five days of the date of the publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after October 4, 2024, the date of publication of the *Preliminary Determination* in the **Federal Register**.[11] In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after February 1, 2025, the final day of provisional measures, but to continue the suspension of liquidation of all entries of subject merchandise on or before January 31, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above. Pursuant to section 705(c)(2) of the Act, if the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of alkyl phosphate esters from China. As Commerce's final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threated with material injury, by reason of import of alkyl phosphate esters from China. In addition, we are making available to the ITC all non-privileged and non-proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue a countervailing duty order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section.

Administrative Protective Order

This notice will serve as the only reminder to parties subject to the APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are alkyl phosphate esters, which are halogenated and non-halogenated phosphorus-based esters with a phosphorus content of at least 6.5 percent (per weight) and a viscosity between 1 and 2000 mPa.s (at 20–25 °C).

Merchandise subject to this investigation primarily includes Tris (2-chloroisopropyl) phosphate (TCPP), Tris (1,3-dichloroisopropyl) phosphate (TDCP), and Triethyl Phosphate (TEP)).

TCPP is also known as Tris (1-chloro-2-propyl) phosphate, Tris (1-chloropropan-2-yl) phosphate, Tris (monochloroisopropyl) phosphate (TMCP), and Tris (2-chloroisopropyl) phosphate (TCIP). TCPP has the chemical formula $C_9H_{18}Cl_3O_4P$ and the Chemical Abstracts Service (CAS) Nos. 1244733–77–4 and 13674–84–5. It may also be identified as CAS No. 6145–73–9.

TDCP is also known as Tris (1,3-dichloroisopropyl) phosphate, Tris (1,3-dichloro-2-propyl) phosphate, Chlorinated tris, tris {2- chloro-1-(chloromethyl ethyl)} phosphate, TDCPP, and TDCIPP. TDCP has the chemical formula $C_9H_{15}C_{l6}O_4P$ and the CAS No. 13674–87–8.

TEP is also known as Phosphoric acid triethyl ester, phosphoric ester, flame retardant TEP, Tris(ethyl) phosphate, Triethoxyphosphine oxide, and Ethyl phosphate (neutral). TEP has the chemical formula $(C_2H_5O)_3PO$ and the CAS No. 78–40–0.

Imported alkyl phosphate esters are not excluded from the scope of this investigation even if the imported alkyl phosphate ester consists of a single isomer or combination of

[9] As discussed in the *Preliminary Determination,* we found that Anhui RunYue is cross-owned with Yixing RunYue Enterprise Management Co., Ltd. For this final determination, Commerce continues to find that these companies are cross owned.

[10] As discussed in the *Preliminary Determination,* we found that Zhejiang Wansheng is cross-owned with certain companies; because the identity of these two companies is business proprietary, the calculated subsidy rate applies only to Zhejiang Wansheng.

[11] *See Preliminary Determination,* 89 FR at 80871.

isomers in proportions different from the isomers ordinarily provided in the market.

Also included in this investigation are blends including one or more alkyl phosphate esters, with or without other substances, where the alkyl phosphate esters account for 20 percent or more of the blend by weight.

Alkyl phosphate esters are classified under subheading 2919.90.5050, Harmonized Tariff Schedule of the United States (HTSUS). Imports may also be classified under subheadings 2919.90.5010 and 3824.99.5000, HTSUS. The HTSUS subheadings and CAS registry numbers are provided for convenience and customs purposes. The written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Use of Facts Otherwise Available and Application of Adverse Inferences
IV. Subsidies Valuation
V. Changes Since the Preliminary Determination and Post Preliminary Analysis
VI. Analysis of Programs
VII. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Adverse Facts Available (AFA) in Its Analysis of the Export Buyer's Credit Program (EBCP)
Comment 2: Whether Commerce Should Revise Its Preliminary Analysis Regarding the Provision of Phosphorous Oxychloride and Propylene Oxide for Less Than Adequate Remuneration (LTAR)
Comment 3: Whether Commerce Should Continue To Countervail the Provision of Electricity for LTAR
Comment 4: Whether Commerce Should Revise Its Denominators for Anhui RunYue
Comment 5: Whether Zhejiang Wansheng Is Controlled by State-Owned Enterprises (SOEs)
Comment 6: Whether to Apply AFA to Zhejiang Wansheng's Pre-AUL Sales Figures and All Its Affiliate's Sales Figures
Comment 7: Whether Commerce Erred in Its Benchmark Calculations for the Three Input LTAR Programs
Comment 8: Whether Commerce Should Apply AFA to Anhui RunYue for Land Use
Comment 9: Whether the Income Tax Deduction for Research and Development Expenses Under the Enterprise Income Tax (EIT) Law Is Specific
Comment 10: Whether To Apply AFA to Anhui RunYue's 2022 Sales Figures
Comment 11: Whether To Correct Certain Errors in Anhui RunYue's Benefit Calculations
VIII. Recommendation

[FR Doc. 2025–07132 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–557–830]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Malaysia: Final Affirmative Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from Malaysia are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is April 1, 2023, through March 31, 2024.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Patrick Barton or Elizabeth Talbot Russ, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0012 or (202) 482–5516 respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 4, 2024, Commerce published the *Preliminary Determination,* in which we also postponed the final determination until April 18, 2025.[1] Commerce invited interested parties to comment on the *Preliminary Determination*.[2] On January 6, 2025, Commerce published the *Amended Preliminary Determination.*[3]

A summary of the events that occurred since Commerce published the *Preliminary Determination,* may be found in the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Malaysia. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

During the course of this investigation, Commerce received scope comments from parties. Commerce issued a Preliminary Scope Decision Memorandum to address these comments and set aside a period of time for parties to address scope issues in scope-specific case and rebuttal briefs.[5] We received comments from parties on the Preliminary Scope Decision Memorandum, which we addressed in the Final Scope Decision Memorandum.[6] We made no changes to the scope of the investigation from the scope published in the *Preliminary Determination,* as provided in Appendix I to this notice.

Verification

In accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act), Commerce conducted verification of the information relied upon in making its final determination in this investigation. Specifically, Commerce conducted on-site verifications of the information and data on the sales and cost of production of Hanwha Q Cells Malaysia Sdn. Bhd (Hanwha Q Cells) and Jinko Solar Technology Sdn. Bhd. (Jinko Solar).[7] We used standard

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Affirmative Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 89 FR 96207 (December 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 89 FR 96209.

[3] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Amended Preliminary Determination of Less-Than-Fair-Value Investigation,* 90 FR 601 (January 6, 2025), and accompanying memorandum, ''Analysis of Ministerial Error Allegation in the Preliminary Determination,'' dated December 30, 2024.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024 (Preliminary Scope Decision Memorandum).

[6] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

[7] *See* Memoranda, ''Verification of the Questionnaire Responses of Hanwha Q Cells,'' dated February 3, 2025; ''Verification of the Questionnaire Responses of Jinko Solar,'' dated February 3, 2025; ''Verification of the Questionnaire

verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Hanwha Q Cells and Jinko Solar.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

Changes Since the Preliminary Determination

We have made certain changes to the margin calculations for Hanwha Q Cells and Jinko Solar since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available

As discussed in the *Preliminary Determination,* Commerce assigned an estimated weighted-average dumping margin on the basis of adverse facts available (AFA), pursuant to sections 776(a) and (b) of the Act, to four companies (*i.e.,* Baojia New Energy Manufacturing Sdn. (Baojia New Energy), CRC Solar Cell Joint Stock Company (CRC Solar), Lynter Enterprise, and Mega PP Sdn. Bhd. (Mega PP)) that were non-responsive to the quantity and value questionnaire.[8] There is no new information on the record that would cause us to revisit our decision in the *Preliminary Determination.* Accordingly, for the reasons explained in the *Preliminary Determination,* and consistent with Commerce's practice, as AFA, we assigned the highest corroborated dumping margin alleged in the petition to Baojia New Energy, CRC Solar, Lynter Enterprise, and Mega PP.[9]

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated weighted-average dumping margin for all other producers and/or exporters not individually investigated shall be equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding rates that are zero, *de minimis,* or determined entirely under section 776 of the Act, *i.e.,* facts otherwise available.

In this investigation, Commerce assigned a zero rate to Hanwha Q Cells. Therefore, the only rate that is not zero, *de minimis,* or based entirely on facts otherwise available is the rate calculated for Jinko Solar. Consequently, the rate calculated for Jinko Solar is also assigned as the rate for all other producers and/or exporters.

Final Determination

The final estimated weighted-average dumping margins for the period April 1, 2023, through March 31, 2024, are as follows:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Hanwha Q Cells Malaysia Sdn. Bhd	0.00	0.00
Jinko Solar Technology Sdn. Bhd	8.59	1.92
Baojia New Energy Manufacturing Sdn	*81.24	*81.24
CRC Solar Cell Joint Stock Company	*81.24	*81.24
Lynter Enterprise	*81.24	*81.24
Mega PP Sdn. Bhd	*81.24	*81.24
All Others	8.59	1.92

* Rates based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of any public announcement, or if there is no public announcement, within five days of the date of the publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption, on or after December 4, 2024, the date of publication of the *Preliminary Determination* in the **Federal Register**, except for entries of subject merchandise produced and exported by Hanwha Q Cells. These suspension of liquidation instructions will remain in effect until further notice.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, with the exception of entries of subject merchandise produced and exported by Hanwha Q Cells, for which no cash deposit is required, we will instruct CBP to require a cash deposit for estimated antidumping duties for such entries as follows: (1) the cash deposit rate for the respondents listed in the table above will be equal to the company-specific estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not a respondent listed in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin listed for the producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin listed in the table above.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion countervailing duty (CVD) investigation.

Responses of Jinko Solar U.S. Entities,'' dated February 5, 2025; ''Verification of the Cost Response of Hanwha Q CELLS Malaysia Sdn. Bhd.,'' dated March 20, 2025; ''Verification of the Cost Response of Hanwha Q CELLS Malaysia Sdn. Bhd.,'' dated March 21, 2025; and ''Verification of the Cost Response of Jinko Solar Technology Sdn. Bhd.,'' dated March 20, 2025.

[8] *See Preliminary Determination,* 89 FR 96208.

[9] *Id.; see also Preliminary Determination* PDM at 8–9.

Accordingly, because Commerce made an affirmative final determination for countervailable export subsidies,[10] Commerce has offset the estimated weighted-average dumping margin by the appropriate export subsidy rate. Any such adjusted cash deposit rate may be found in the ''Final Determination'' section above. However, suspension of liquidation of provisional measures in the companion CVD case has been discontinued; [11] therefore, we are not instructing CBP to collect cash deposits based upon the adjusted estimated weighted-average dumping margin for those export subsidies at this time.

Because the estimated weighted-average dumping margin for Hanwha Q Cells is zero percent, entries of shipments of subject merchandise that are produced and exported by Hanwha Q Cells will not be subject to suspension of liquidation or cash deposit requirements. In such situations, Commerce also applies the exclusion to the provisional measures to the producer/exporter combination that was examined in the investigation. Accordingly, Commerce will direct CBP to not suspend merchandise produced and exported by Hanwha Q Cells. However, entries of subject merchandise in any other producer/exporter combination, *e.g.,* merchandise produced by a third party and exported by Hanwha Q Cells, or produced by Hanwha Q Cells and exported by a third party, are subject to suspension of liquidation at the all-others rate.

Further, because the estimated weighted-average dumping margin is zero for subject merchandise produced and exported by Hanwha Q Cells, entries of such merchandise will be excluded from the potential antidumping duty order. Such an exclusion will not be applicable to merchandise exported to the United States by this respondent in any other producer/exporter combinations or by third parties that sourced subject merchandise from the excluded producer/exporter combination.

[10] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, From Malaysia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 89 FR 80861 (October 4, 2024) (*Solar Cells from Malaysia CVD Prelim*); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, From Malaysia: Amended Preliminary Determination of Countervailing Duty Investigation,* 89 FR 88232 (November 7, 2024).

[11] *See Solar Cells from Malaysia CVD Prelim; see also* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or February 1, 2025 (*i.e.,* the last day provisional measures are in effect).

U.S. International Trade Commission (ITC) Notification

In accordance with section 735(d) of the Act, Commerce will notify the ITC of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of solar cells from Malaysia no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order (APO)

This notice serves as the final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return, or destruction, of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

Notification to Interested Parties

This determination is issued and published in accordance with sections 735(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary

II. Background
III. Changes Since the Preliminary Determination
IV. Affiliation and Single Entity Treatment
V. Discussion of the Issues
Comment 1: Whether Commerce Should Continue to Adjust Jinko Solar's Indirect Selling Expenses (ISE) Ratio Calculation
Comment 2: Whether Commerce Should Deduct Section 201 Duties from Jinko Solar's Constructed Export Price (CEP)
Comment 3: Whether Commerce Should Deduct Certain Movement Expenses from Jinko Solar's CEP
Comment 4: Whether Commerce Should Assign Jinko Solar's Weighted-Average Dumping Margin to Jinko Solar Malaysia Sdn. Bhd. (JSM)
Comment 5: Whether Commerce Should Apply the Cohen's *d* Test to Calculate Jinko Solar's Weighted-Average Dumping Margin
Comment 6: Whether Commerce Should Increase Jinko Solar's Reported Total Cost of Manufacturing (TOTCOM)
Comment 7: Whether Commerce Should Revise the Market Price of Aluminum Frames
Comment 8: Whether Commerce Should Add Certain Expenses Booked by JSM in Fiscal Year (FY) 2023 to the General and Administrative Expense (G&A) Ratio
Comment 9: Whether Commerce Should Increase Jinko Solar's TOTCOM to Incorporate Retrenchment Benefits
Comment 10: Whether Commerce Should Include All Foreign Exchange-Related Gains and Losses in the Net Financial Expenses
Comment 11: Whether Commerce Should Impute Interest on Interest-Free Loans from Affiliated Parties
VI. Recommendation

[FR Doc. 2025–07135 Filed 4–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–549–852]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Thailand: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from Thailand. The period of investigation (POI) is January 1, 2023, through December 31, 2023.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Shane Subler or Henry Wolfe, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6241, and (202) 482–0574, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 2024, Commerce published the *Preliminary Determination* in the **Federal Register**, invited interested parties to comment on the *Preliminary Determination,* and aligned this countervailing duty investigation with the final determination in the less-than-fair value investigation of crystalline silicon photovoltaic cells, whether or not assembled into modules, from Thailand, in accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4).[1] On January 7, 2025, Commerce released its Post-Preliminary Analysis.[2] For a complete discussion of the events that followed the *Preliminary Determination, see* the Issues and Decision Memorandum.[3] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Thailand. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In Commerce's Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments on scope issues.[4] Between December 27, 2024, and January 3, 2025, Commerce received a scope case brief and a rebuttal brief from JA Solar USA Inc. and JA Solar Vietnam Company Limited (collectively, JA Solar) and the American Alliance for Solar Manufacturing Trade Committee (the petitioner), respectively.[5] For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce determined that it is modifying the scope language as it appeared in the *Initiation Notice. See* Appendix I.

Verification

As provided in section 782(i) of the Act, in January 2025, Commerce conducted verification of the subsidy information reported by the Royal Thai Government (RTG) and Trina Solar Science & Technology (Thailand) Ltd. (TTL). We also verified information in the quantity and value questionnaire responses submitted by Runergy PV Technology (Thailand) Co. Ltd. (Runergy) and Talesun Technologies (Thailand) Co., Ltd. (Talesun). We used standard verification procedures, including an examination of relevant accounting records and original source documents provided by the RTG, TTL, Runergy, and Talesun.

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs that were submitted by interested parties in this

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, in Part, and Alignment of Final Determination with Final Antidumping Duty Determination,* 89 FR 80877 (October 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Decision Memorandum for the Post-Preliminary Analysis in the Countervailing Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand,'' dated January 7, 2025.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of the Countervailing Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024. (Preliminary Scope Decision Memorandum).

[5] *See* JA Solar's Letter, ''Scope Case Brief,'' dated December 27, 2024; *see also* Petitioner's Letter, ''Petitioner's Rebuttal Scope Brief,'' dated January 3, 2025.

[6] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

investigation are discussed in the Issues and Decision Memorandum. For a list of the issues raised by interested parties and addressed in the Issues and Decision Memorandum, *see* Appendix II.

Final Affirmative Determination of Critical Circumstances

Commerce preliminarily determined, in accordance with section 703(e)(1) of the Act and 19 CFR 351.206(c)(1), that critical circumstances did not exist with respect to imports of solar cells exported by TTL, but that critical circumstances did exist with respect to imports of solar cells produced and/or exported by Sunshine Electrical Energy (Sunshine Electrical), Taihua New Energy (Thailand) Co. Ltd. (Taihua New Energy), and all other producers and/or exporters.[7]

For the final determination, pursuant to section 705(a)(2) of the Act and 19 CFR 351.206, we continue to find that critical circumstances exist for Sunshine Electrical and Taihua New Energy. Additionally, we continue to find that critical circumstances exist for all other producers and/or exporters not individually examined, and we determine that critical circumstances exist for TTL. For a full description of the methodology and results of Commerce's critical circumstances analysis, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[8] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum.

In making this final determination, Commerce relied, in part, on facts otherwise available, including with an adverse inference, pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of adverse facts available (AFA), *see* the Issues and Decision Memorandum at the section entitled ''Uses of Facts Available and Application of Adverse Inferences.''

[7] *See Preliminary Determination* PDM at 38–41.

[8] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; *see also* section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

Changes Since the Preliminary Determination

Based on our review and analysis of the information at verification and comments received from interested parties, we made changes to the subsidy rate calculations for TTL, Sunshine Electrical, Taihua New Energy, and all other producers and/or exporters, including the addition of subsidy programs included in the Post-Preliminary Analysis. For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an individual estimated countervailable subsidy rate for the mandatory respondent, TTL. Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act. For this final determination, TTL's subsidy rate is not zero, *de minimis,* or determined entirely under section 776 of the Act. Consequently, we have assigned the subsidy rate calculated for TTL as the rate for all other producers and/or exporters.

Final Determination

Commerce determines that the following estimated countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
Sunshine Electrical Energy ..	* 799.55
Taihua New Energy (Thailand) Co. Ltd	* 799.55
Trina Solar Science & Technology (Thailand) Ltd	263.74
All Others	263.74

* Rate based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose the calculations performed to interested parties in this final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of the publication of the notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

Because we preliminarily determined that the countervailing duty (CVD) rate for TTL was *de minimis,* we did not instruct U.S. Customs and Border Protection (CBP) to suspend entries of subject merchandise, as described in Appendix I to this notice, from TTL.[9] Section 705(c)(4)(C) of the Act provides that in the event of a final affirmative determination of critical circumstances, when the preliminary determination under section 703(b) of the Act was negative, any suspension of liquidation shall apply to unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days before the date on which the suspension of liquidation was first ordered. Therefore, in accordance with section 705(c)(4)(C) of the Act, we will now direct CBP to suspend liquidation of all imports of the subject merchandise from TTL entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication of this notice in the **Federal Register**, and to require the posting of a cash deposit for such entries of merchandise.

We preliminarily determined that critical circumstances existed for imports of subject merchandise produced and/or exported by Sunshine Electrical, Taihua New Energy, and all other producers and/or exporters not individually examined.[10] With respect to Sunshine Electrical, Taihua New Energy, and all other producers and/or exporters not individually examined, as a result of our *Preliminary Determination* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we directed CBP to suspend liquidation of entries of subject merchandise, as described in the scope of the investigation section, that were entered, or withdrawn from warehouse, for consumption on or after July 6, 2024, which was 90 days prior to the date of the publication of the *Preliminary Determination* in the **Federal Register**.[11] Pursuant to 19 CFR 351.205(d), we instructed CBP to require a cash deposit equal to the rates indicated in the *Preliminary Determination*.[12] In accordance with section 703(d) of the Act, on January 31, 2025, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse on or after February 1, 2025. For this final determination, as

[9] *See Preliminary Determination,* 89 FR 80875.

[10] *Id.*

[11] *Id.*

[12] *Id.*

explained in the ''Final Affirmative Determination of Critical Circumstances'' section above, we continue to determine that critical circumstances exist for Sunshine Electrical and Taihua New Energy. Accordingly, we will instruct CBP to continue to suspend liquidation of all entries of subject merchandise from Sunshine Electrical and Taihua New Energy entered, or withdrawn from warehouse, for consumption on or after July 6, 2024, which is 90 days prior to the date of publication of the *Preliminary Determination,* through January 31, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a CVD order, reinstate the suspension of liquidation under section 706(a) of the Act with respect to Sunshine Electrical, Taihua New Energy, and all other producer and/or exporters not individually examined, and require a cash deposit of estimated countervailing duties for entries of subject merchandise in the amounts indicated in the ''Final Determination'' section above. Pursuant to section 705(c)(2) of the Act, if the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or cancelled.

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of solar cells from Thailand. Because Commerce's final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of solar cells from Thailand no later than 45 days after this final determination. If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue a countervailing duty order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Suspension of Liquidation'' section.

Administrative Protective Order (APO)

This notice serves as the final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return, or destruction, of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

Notification to Interested Parties

This determination is issued and published in accordance with sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable

crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Final Critical Circumstances Determination
IV. Changes Since the *Preliminary Determination*
V. Subsidies Valuation Information
VI. Use of Facts Otherwise Available and Application of Adverse Inferences
VII. Benchmarks for Measuring the Adequacy of Remuneration
VIII. Analysis of Programs
IX. Discussion of the Issues
- Comment 1: Whether Commerce Should Reach an Affirmative Determination of Critical Circumstances
- Comment 2: Whether Commerce Erred in Its Calculation of the ''All Others'' Rate
- Comment 3: Whether Commerce Has the Legal Authority Under the World Trade Organization (WTO) Rules and U.S. Law to Investigate Transnational Subsidies
- Comment 4: Policy Lending from Chinese Banks for Belt and Road Initiative (BRI) Capacity Cooperation Projects
- Comment 5: Substantial Evidence for the Cross-Border Provision of Chinese Polysilicon, Silicon Wafer, Silver Paste, and Solar Glass for Less Than Adequate Remuneration (LTAR)
- Comment 6: Specificity for the Cross-Border Provision of Chinese Origin Polysilicon, Silicon Wafer, Silver Paste, and Solar Glass for LTAR
- Comment 7: Whether Commerce Should Use Tier Two Benchmarks to Measure the Benefit Provided by the Cross-Border Provision of Chinese Silicon Wafers

Comment 8: Whether Commerce Should Use Tier Two Benchmarks to Measure the Benefit Provided by the Cross-Border Provision of Chinese Solar Glass
Comment 9: Whether Commerce Should Use Tier Two Benchmarks to Measure the Benefit Provided by the Cross-Border Provision of Chinese Silver Paste
Comment 10: Whether Commerce Should Apply Adverse Facts Available (AFA) or Otherwise Countervail Short-Term Loans to TTL
Comment 11: Whether Commerce Should Make Downward Adjustments to TTL's Reported Purchase Prices for Silicon Wafers and Solar Glass
Comment 12: Whether Commerce's Determination That Trina Solar Co., Ltd. (TCZ) and Trina Solar (Suqian) Silicon Materials Co., Ltd. (TSM(SQ)) Are ''Authorities'' Is Supported by the Record Evidence
Comment 13: Whether Commerce Made an Error in Its Calculation of the Benefit Provided by the Royal Thai Government's (RTG's) Provision of Electricity for LTAR
Comment 14: Whether the Provision of Electricity for LTAR is Countervailable
Comment 15: Whether Commerce Should Have Selected an Additional Mandatory Respondent
Comment 16: Whether Commerce Should Apply AFA to Taihua New Energy (Thailand) Co. Ltd. (Taihua New Energy)
Comment 17: Whether Commerce Should Initiate an Investigation Into Whether Producers in Malaysia Benefited From the Cross-Border Provision of Silicon Wafers for LTAR
X. Recommendation

[FR Doc. 2025–07138 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–557–831]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Malaysia: Final Affirmative Countervailing Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from Malaysia. The period of investigation is January 1, 2023, through December 31, 2023.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Preston Cox, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–8630.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 2024, Commerce published the *Preliminary Determination,* in which we also postponed the final determination until April 18, 2025.[1] Commerce invited interested parties to comment on the *Preliminary Determination*.[2] On November 7, 2024, Commerce published the *Amended Preliminary Determination*.[3] On November 25, 2024, we published the *Correction to the Amended Preliminary Determination* to correct text in the ''Amended Cash Deposits and Suspension of Liquidation'' section of the Amended Preliminary Determination.[4]

A summary of the events that occurred since the *Preliminary Determination* may be found in the Issues and Decision Memorandum.[5] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is solar cells from Malaysia. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case or other written comments on scope issues.[6] Between December 27, 2024, and January 3, 2025, Commerce received a scope case brief and a rebuttal brief from JA Solar USA Inc. and JA Solar Vietnam Company Limited (collectively, JA Solar) and the American Alliance for Solar Manufacturing Trade Committee (Petitioner), respectively.[7] For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[8] In the Final Scope Memorandum, Commerce determined that it is modifying the scope language as it appeared in the *Initiation Notice. See* Appendix I.

Verification

In accordance with section 782(i) of the Act, Commerce conducted verification of the information of the information relied upon in making its final determination in this investigation. Specifically, Commerce conducted on-site verifications of the information and data on subsidies reported by the Government of Malaysia; Hanwha Q CELLS Malaysia Sdn. Bhd. (Hanwha Q CELLS); and Jinko Solar Technology Sdn. Bhd. (JST) and its cross-owned affiliates, Jinko Solar (Malaysia) Sdn. Bhd. (JSM) and Omega Solar Sdn. Bhd. (Omega) (collectively, Jinko Solar). We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Hanwha Q Cells and Jinko Solar.

Analysis of Subsidy Programs and Comments Received

All issues raised in the case and rebuttal briefs submitted by interested

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 89 FR 80861 (October 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 89 FR 80863.

[3] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Amended Preliminary Determination of Countervailing Duty Investigation,* 89 FR 88232 (November 7, 2024) (*Amended Preliminary Determination*), and accompanying Amended Preliminary Decision Memorandum (PDM).

[4] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Amended Preliminary Determination of Countervailing Duty Investigation; Correction,* 89 FR 92893 (November 11, 2024) (*Correction to the Amended Preliminary Determination*).

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia,'' dated concurrently with this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024. (Preliminary Scope Decision Memorandum).

[7] *See* JA Solar's Letter, ''Scope Case Brief,'' dated December 27, 2024; and Petitioner's Letter ''Rebuttal Scope Brief,'' dated January 3, 2025.

[8] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

parties are discussed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

Changes Since the Preliminary Determination

We have made certain changes to the preliminary calculations for Hanwha Q Cells and Jinko Solar since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum. In making this final determination, Commerce relied on facts otherwise available, including with an adverse inference (AFA), pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of AFA, *see* the Issues and Decision Memorandum section entitled, ''Use of Facts Otherwise Available and Application of Adverse Inferences.''

Use of Adverse Facts Available

As discussed in the *Preliminary Determination,* Commerce assigned a countervailable subsidy rate on the basis of AFA, pursuant to sections 776(a) and (b) of the Act, to four companies (*i.e.,* Baojia New Energy, Pax Union Resources SDN BHD, and SunMax Energy SDN BHD (collectively, the non-responsive companies) that were non-responsive to the quantity and value questionnaire.[10] There is no new information on the record that would cause us to revisit our decision in the *Preliminary Determination.* Accordingly, for the reasons explained in the *Preliminary Determination,* and consistent with Commerce's practice, as AFA, continue to base the CVD subsidy rate for the non-responsive companies on facts otherwise available in our final determination.

All-Others Rate

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an individual estimated countervailable subsidy rate for the two mandatory respondents, Hanwha Q Cells and Jinko Solar. Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act. For this final determination, we calculated individual estimated countervailable subsidy rates for Hanwha Q Cells and Jinko Solar that are not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, we calculated the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents Hanwha Q Cells and Jinko Solar) using each company's publicly ranged sales value for their exports to the United States of subject merchandise, in accordance with section 705(c)(5)(A)(i) of the Act.

Final Determination

Commerce determines that the following countervailable subsidy rates exist:

Company	Subsidy rate (percent *ad valorem*)
Hanwha Q CELLS Malaysia Sdn. Bhd	14.64
Jinko Solar Technology Sdn. Bhd.; Jinko Solar (Malaysia) Sdn. Bhd.; and Omega Solar Sdn. Bhd	38.38
Baojia New Energy	* 168.80
Pax Union Resources SDN BHD	* 168.80
SunMax Energy SDN BHD	* 168.80
All Others	32.49

* Rate based on facts available with adverse inferences.

Disclosure

Commerce will disclose to the parties in a proceeding the calculations performed in connection with a final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

We will instruct U.S. Customs and Border Protection (CBP) to start or continue to suspend liquidation of all appropriate entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption as described below. As a result of our *Preliminary Determination* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed CBP to collect cash deposits and suspend liquidation of entries of solar cells from Malaysia that were entered, or withdrawn from warehouse, for consumption on or after October 4, 2024, the date of the publication of the *Preliminary Determination* in the **Federal Register**.[11]

In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after February 1, 2025, but to continue the suspension of liquidation of all entries of solar cells on or before January 31, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for entries of subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited, or securities posted, as a result of the suspension of liquidation will be refunded or canceled.

[9] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; *see also* section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[10] *See Preliminary Determination,* 89 FR 82978.

[11] *See Preliminary Determination,* 89 FR 82978.

ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our final affirmative determination that countervailable subsidies are being provided to producers and exporters of solar cells from Malaysia. Because the final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of solar cells from Malaysia no later than 45 days after our final determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Suspension Liquidation'' section.

Administrative Protective Order

In the event that ITC issues a final negative injury determination, this notice will serve as the final reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not

include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

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[FR Doc. 2025–07136 Filed 4–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–841]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the Socialist Republic of Vietnam: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from the Socialist Republic of Vietnam (Vietnam) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is October 1, 2023, through March 31, 2024.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Deborah Cohen, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4243 or (202) 482–4521, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 4, 2024, Commerce published the *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.[1] On January 2, 2025, Commerce published the *Amended Preliminary Determination.*[2] A summary of the events that occurred since Commerce published the *Preliminary Determination,* may be found in the Issues and Decision Memorandum.[3]

The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Vietnam. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

During the course of this investigation, Commerce received scope comments from parties. Commerce issued Preliminary Scope Decision Memoranda to address these comments and set aside a period of time for parties to address scope issues in scope-specific case and rebuttal briefs.[4] We received comments from interested parties on the Preliminary Scope Decision Memoranda, which we address in the Final Scope Decision Memorandum.[5] We made no changes to the scope of the investigation from the scope published in the *Preliminary Determination,* as noted in Appendix I to this notice.

Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), Commerce conducted verification of the information relied upon in making its final determination in this investigation. Specifically, between November 12 and 24, 2024, Commerce conducted on-site verifications of the sales and factors of production information submitted by JA Solar Vietnam Co. Ltd (JA Solar) and Jinko Solar (Vietnam) Industries Company Limited (Jinko).[6] We used standard verification procedures, including an examination of relevant accounting records and original source documents provided by JA Solar and Jinko.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

Changes Since the Preliminary Determination

Based on our review and analysis of the information received during verification and comments received from interested parties for this final determination, we made certain changes to the estimated weighted-average dumping margins for JA Solar and Jinko. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Final Affirmative Determination of Critical Circumstances, in Part

In accordance with section 735(a)(3)(B) of the Act, and 19 CFR

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules From the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Postponement of Final Determination and Extension of Provisional Measures,* 89 FR 96219 (December 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the Socialist Republic of Vietnam: Amended Preliminary Determination of Less-Than-Fair-Value Investigation,* 90 FR 85 (January 2, 2025).

[2] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the Socialist Republic of Vietnam: Amended Preliminary Determination of Less-Than-Fair-Value Investigation,* 90 FR 85 (January 2, 2025), and accompanying memorandum, ''Ministerial Error Allegations Regarding the Preliminary Determination,'' dated December 23, 2024.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the Socialist Republic of Vietnam and Final Affirmative Determination of Critical Circumstances, in Part,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See* Memorandum, ''Memoranda, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024, and ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from Vietnam,'' dated November 27, 2024 (collectively, Preliminary Scope Decision Memoranda).

[5] *See* Memorandum, ''Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

[6] *See* Memoranda, ''Verification of the Sales and Factors of Production Questionnaire Responses of JA Solar Vietnam Co. Ltd (JAVN) and JA Solar USA, Inc. (JA Solar US) (collectively, JA Solar),'' dated February 24, 2025, and ''Verification of Jinko Solar (Vietnam) Industries Co. Ltd.,'' dated February 24, 2025.

351.206(h), Commerce finds for the final determination that critical circumstances do not exist with respect to imports of solar cells for the mandatory respondents and the non-selected companies eligible for a separate rate.[7] We continue to find that critical circumstances exist with respect to the Vietnam-wide entity pursuant to section 776(b) of the Act.[8] For a full description of the methodology and the results of Commerce's critical circumstances analysis, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available (AFA)

As discussed in the *Preliminary Determination,* Commerce assigned an estimated weighted-average dumping margin on the basis of AFA, pursuant to sections 776(a) and (b) of the Act, to the Vietnam-wide entity (including, but not limited to, eleven companies which did not rebut the presumption of government control).[9] No party commented on our findings with respect to the Vietnam-wide entity and use of the highest corroborated dumping margin alleged in the petition as the appropriate rate assigned to the Vietnam-wide entity. Therefore, Commerce continues to find, pursuant to sections 776(a) and (b) of the Act, that the use of facts otherwise available, with adverse inferences, is warranted in determining the dumping rate for the Vietnam-wide entity, and we continue to assigned the highest dumping margin alleged in the petition, *i.e.,* 271.28 percent, as the applicable AFA rate, which continues to be corroborated by the highest transaction-specific margins calculated for the mandatory respondents.[10]

Separate Rates

No interested party commented on Commerce's preliminary separate-rate determinations,[11] as such, we have no basis to reconsider those determinations. Accordingly, we continue to find that JA Solar, Jinko, and certain non-individually examined companies that are listed in the ''Final Determination'' rate table below, are eligible for a separate rate.

Combination Rates

Consistent with the *Preliminary Determination,* and Policy Bulletin 05.1,[12] Commerce calculated combination rates for the respondents that are eligible for a separate rate.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist for the period October 1, 2023, through March 31, 2024:

Producer	Exporter	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent)
JA Solar Vietnam Co. Ltd./JA Solar PV	JA Solar Vietnam Co. Ltd	58.07	52.54
Jinko Solar (Vietnam) Industries Company Limited	Jinko Solar (Vietnam) Industries Company Limited	125.91	120.38
Blue Moon Vina Co	Blue Moon Vina Co	82.65	77.12
Boviet Solar Technology Co., Ltd	Boviet Solar Technology Co., Ltd	82.65	77.12
Elite Solar Technology (Vietnam) Company Limited.	Elite SNG	82.65	77.12
Letsolar Vietnam Company Limited	Letsolar Vietnam Company Limited	82.65	77.12
Mecen Solar Vina Co., Ltd	Mecen Solar Vina Co., Ltd	82.65	77.12
Nexuns Vietnam Company Limited	Nexuns Vietnam Company Limited	82.65	77.12
Trina Solar Energy Development Company Ltd	Trina Solar Energy Development Company Ltd	82.65	77.12
Vietnergy Co., Ltd. and Tainergy Tech Co., Ltd	Vietnergy Co., Ltd. and Tainergy Tech Co., Ltd	82.65	77.12
Vietnam Sunergy Joint Stock Company *(f.k.a.* Vietnam Sunergy Company Limited).	Vietnam Sunergy Joint Stock Company (*f.k.a.* Vietnam Sunergy Company Limited).	82.65	77.12
Vietnam-Wide Entity		*271.28	271.28

*This rate is based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of any public announcement, or if there is no public announcement, within five days of the date of the publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(4) of the Act, because Commerce continues to find that critical circumstances exist for the Vietnam-wide entity, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse for consumption, on or after September 5, 2024, which is 90 days prior to the date of publication of the affirmative *Preliminary Determination* in the **Federal Register**.

For the mandatory respondents, JA Solar and Jinko, we will instruct CBP to continue to suspend liquidation of entries of subject merchandise, as described in Appendix I of this notice, which are entered, or withdrawn from warehouse for consumption, on or after December 4, 2024, the date of publication in the **Federal Register** of the *Preliminary Determination.*

For the separate rate companies, because Commerce has made a negative final determination with regard to critical circumstances, Commerce will instruct CBP to continue to suspend liquidation of all appropriate entries which were entered, or withdrawn from

[7] *See* Issues and Decision Memorandum at Comment 29, ''Critical Circumstances.''

[8] *See Preliminary Determination,* 89 FR 96219.

[9] *See Preliminary Determination* PDM at 15–16.

[10] *See* Memorandum, ''Jinko's Final Analysis Memorandum'' dated concurrently with this memorandum (Jinko's Final Analysis Memo) at Attachment 3 (SAS Output) and *see also,* memorandum, ''Final Analysis Memorandum for JA Solar Vietnam Co. Ltd (JAVN) and JA Solar USA, Inc. (JA Solar US) (collectively, JA Solar),'' dated concurrently with this memorandum at Attachment 3, which indicate the highest transaction-specific margins calculated for each respondent.

[11] *Id.* at 12–16.

[12] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' (April 5, 2005) (Policy Bulletin 05.1), available at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

warehouse, for consumption on or after December 4, 2024, the date of publication in the **Federal Register** of the *Preliminary Determination* and, in accordance with section 735(c)(3) of the Act, Commerce will instruct CBP to terminate any retroactive suspension of liquidation required under section 733(e)(2) of the Act, release any bond or other security, and refund any cash deposit required, under section 733(d)(1)(B) of the Act, with respect to entries of subject merchandise the liquidation of which was suspended retroactively under section 733(e)(2) of the Act before December 4, 2024.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, Commerce will instruct CBP to require a cash deposit for estimated antidumping duties for appropriate entries. Specifically, Commerce will instruct CBP to require cash deposits of estimated antidumping duties for all appropriate entries as follows: (1) for the producer/exporter combinations listed in the table above, the applicable cash deposit rate is listed in the table for that combination; (2) for all combinations of Vietnamese producers/exporters of the subject merchandise that have not established eligibility for a separate rate, the cash deposit rate will be equal to the cash deposit rate listed for the Vietnam-wide entity in the table above; and (3) for all third-country exporters of subject merchandise that are not listed in the table above, the cash deposit rate is the cash deposit rate applicable to the Vietnamese producer/exporter combination or the Vietnam-wide entity that supplied that third-country exporter. These suspension of liquidation instructions will remain in effect until further notice.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion CVD investigation, when CVD provisional measures are in effect. Accordingly, because Commerce made an affirmative final determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate export subsidy rate. Commerce has continued to adjust the cash deposit rate for export subsidies in the companion CVD investigation by the appropriate export subsidy rate as indicated in the above chart. However, suspension of liquidation of provisional measures in the companion CVD case has been discontinued; [13] therefore, we are not instructing CBP to collect cash deposits based upon the adjusted estimated weighted-average dumping margin for those export subsidies at this time.

U.S. International Trade Commission (ITC)

In accordance with section 735(d) of the Act, we will notify the ITC of this final affirmative determination of sales at LTFV. Because the final determination in this investigation is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of solar cells no later than 45 days after this final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded or canceled, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instructions by Commerce, antidumping duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigation.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

(1) Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do

[13] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, in Part, and Alignment of Final Determination With Final Antidumping Duty Determination,* 89 FR 80867 (October 4, 2024); *see also* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or January 31, 2025 (*i.e.,* last day provisional measures are in effect).

not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

(2) Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a two port rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics: 1. a total power output of 20 watts or less per panel; 2. a maximum surface area of 1,000 cm^2 per panel; 3. does not include a built-in inverter for powering third party devices.

Additionally excluded from the scope of the investigation are off-grid greenhouse shade tracking systems with between 3 and 30 flexible CSPV panels, each permanently affixed to an outer aluminum frame, with (A) no glass cover, (B) no back sheet, (C) no built-in inverter, (D) power output of 220 watts or less per panel, (E) surface area of 10,000 cm squared or less per panel, (F) two clear plastic trusses per panel permanently attached running lengthwise on the same side as the junction boxes, (G) visible parallel grid collector metallic wire lines every 1–4 mm per each cell on same side as junction box, (H) two rectangular plastic junction boxes per panel with at least 16 diodes per panel, and (I) encased in an aluminum frame and laminated without stitching.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigation; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigation.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not*

Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order, 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

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Comment 2: SV for Aluminum Frame Inputs
Comment 3: SV for Silver Paste Inputs
Comment 4: SV for 1500V Junction Box Inputs
Comment 5: SV for Glue and/or Silicon Sealant Inputs
Comment 6: SV for Solder and Welding Wire Inputs
Comment 7: SV for Jinko's Polysilicon and Wafers Inputs
Comment 8: SV for Jinko's Ethylenediaminetetraacetic Acid Inputs
Comment 9: SV for Jinko's Dust Free Cloth Inputs
Comment 10: SV for Jinko's Trimethyl Aluminum Inputs
Comment 11: SV for Jinko's Label Inputs
Comment 12: SV for Labor Inputs
Comment 13: SV for Ocean Freight
Comment 14: SV for Marine Insurance
Comment 15: SV for Truck Freight
Comment 16: SV for Brokerage and Handling (B&H) for JA Solar
Comment 17: SV for Domestic Inland Insurance for Jinko
Comment 18: Valuation of the Market-Economy (ME) Purchase Price for JA Solar's Purchases of Polysilicon
Comment 19: Polysilicon Byproduct and Scrap Offsets for JA Solar
Comment 20: By-Product Offsets for Jinko
Comment 21: Polysilicon as a Byproduct and Input for Jinko
Comment 22: Selection of Surrogate Financial Statements
Comment 23: Deduction of Domestic Warehousing from U.S. Price for JA Solar
Comment 24: Deduction of Rebate Expense from U.S. Price for JA Solar
Comment 25: Minor Corrections to the JA Solar's Reported Control Numbers (CONNUMs)
Comment 26: Minor Corrections to the Response Presented at Verification
Comment 27: Correct Application of the Cohen's *d* Test
Comment 28: Treatment of Boviet as a Voluntary Respondent
Comment 29: Critical Circumstances Determination and Methodology for Separate Rate Respondents
VI. Recommendation

[FR Doc. 2025–07139 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–555–003]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Cambodia: Final Affirmative Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells) from Cambodia are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is April 1, 2023, through March 31, 2024.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Joshua Weiner, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3477 or (202) 482–3902, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 4, 2024, Commerce published the *Preliminary Determination,* in which we also postponed the final determination until April 18, 2025.[1] Commerce invited interested parties to comment on the *Preliminary Determination.* A summary of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.[2] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Cambodia. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

During the course of this investigation, Commerce received scope comments from parties. Commerce issued a Preliminary Scope Decision Memorandum to address these comments and set aside a period of time for parties to address scope issues in scope-specific case and rebuttal briefs.[3]

We received comments from parties on the Preliminary Scope Decision Memorandum, which we addressed in the Final Scope Decision Memorandum.[4] We made no changes to the scope of the investigation from the scope published in the *Preliminary Determination,* as provided in Appendix I to this notice.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Malaysia: Affirmative Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 89 FR 96207 (December 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from Cambodia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[3] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024 (Preliminary Scope Decision Memorandum).

[4] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

Use of Adverse Facts Available

As discussed in the *Preliminary Determination,* Commerce assigned to the mandatory respondents in this investigation, Hounen Solar Inc. Co. Ltd. (Hounen), and Solar Long PV Tech Cambodia Co. (Solar Long) an estimated weighted-average dumping margin based on adverse facts available (AFA), pursuant to sections 776(a) and (b) the Act.[5] As a result, Commerce did not conduct verification of these companies.

Changes Since the Preliminary Determination

We revised the export subsidy offset based on the final determination of the companion CVD investigation. For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that Commerce shall determine an estimated weighted-average dumping margin, *i.e.,* all-others rate, for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters or producers individually investigated, excluding rates that are zero, *de minimis,* or determined entirely under section 776 of the Act.

The estimated weighted-average dumping margins in this investigation are determined entirely under section 776 of the Act. When no estimated weighted-average dumping margins other than zero, *de minimis,* or those determined entirely under section 776 of the Act have been established for individually examined companies, in accordance with section 735(c)(5)(B) of the Act, Commerce typically calculates a simple average of the dumping margins alleged in the petition, and applies the results as the estimated weighted-average dumping margin for all other producers and exporters not individually examined.[6] In the Petition,[7] the American Alliance for Solar Manufacturing Trade Committee (the petitioner) alleged a single dumping margin for Cambodia, 125.37 percent.[8] Therefore, consistent with our practice and the statute,[9] the all-others rate in this investigation is 125.37 percent.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter or producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for export subsidies) (percent)
Hounen Solar Inc. Co. Ltd	* 125.37	117.18
Solar Long PV Tech Cambodia Co	* 125.37	117.18
All Others	125.37	117.18

* Rate is based on AFA.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, consistent with the *Preliminary Determination,* because Commerce applied total AFA to determine the estimated weighted-average dumping margin for each of the individually examined companies, Hounen and Solar Long, in this final determination, and the applied AFA rate is based solely on the Petition, there are no calculations to disclose.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend the liquidation of all entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption in the United States on or after December 4, 2024, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), where appropriate, Commerce will instruct CBP to require a cash deposit for estimated antidumping duties. To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies determined in a companion countervailing duty (CVD) investigation when CVD provisional measures are in effect. Accordingly, where Commerce has made a preliminary affirmative determination for subsidies that are export contingent, Commerce has offset the calculated estimated weighted-average dumping margin by the appropriate export subsidy rate(s). Any such adjusted rates may be found in the ''Preliminary Determination'' chart above. Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, Commerce will direct CBP to begin collecting estimated antidumping duty cash deposits unadjusted for countervailed export subsidies at the time that the provisional CVD measures expire. Accordingly, Commerce intends to instruct CBP as follows: (1) the cash deposit rate for exporters of subject merchandise listed above will be equal to the company-specific estimated weighted-average dumping margin, appropriately adjusted for export subsidies, determined in this final determination; (2) if the exporter is not a company identified above but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin, appropriate adjusted for export subsidies, established for that producer of the subject merchandise; and (3) the

[5] *See Preliminary Determination,* 89 FR 96227.

[6] *Id.*

[7] *See* Petitioner's Letter, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam, Petitions for the Imposition of Antidumping and Countervailing Duties'' dated April 24, 2024 (Petition).

[8] *See Initiation Notice,* 89 FR 43812.

[9] *See Dioctyl Terephthalate from Poland: Final Affirmative Determination of Sales at Less Than Fair Value,* 90 FR 14117 (March 28, 2025); *see also Thermal Paper from Spain: Final Determination of Sales at Less Than Fair Value,* 86 FR 54162 (September 30, 2021).

cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin, appropriated adjusted for export subsidies, for all other producers and exporters.

These suspension of liquidation instructions and cash deposit requirements will remain in effect until further notice.

U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of aluminum extrusions no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order

This notice serves as the final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not

include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22 AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Adjustments To Cash Deposit Rates For Export Subsidies
V. Discussion of the Issue
Comment: Calculation of the All-Others Rate
VI. Recommendation

[FR Doc. 2025–07133 Filed 4–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–851]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Thailand: Final Affirmative Determination of Sales at Less-Than-Fair-Value and Final Affirmative Determination of Critical Circumstances

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from Thailand are being, or are likely to be, sold in the United States at less-than-fair-value (LTFV) for the period of investigation (POI) is April 1, 2023, through March 31, 2024.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Stephen Bailey or Joshua Jacobson, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0193 or (202) 482–0266, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 4, 2024, Commerce published the *Preliminary Determination,* in which we also postponed the final determination until

April 18, 2025.[1] Commerce invited interested parties to comment on the *Preliminary Determination.* On March 24, 2024, Commerce issued a post-preliminary Particular Market Situation (PMS) Analysis Memorandum [2] in which we found a PMS exists for certain of TTL's solar inputs (*i.e.,* wafers and solar glass) due to Chinese dominance of the solar cell input market in Thailand, which likely contributes to a input cost distortion or decline in the price below what the market-determined price is for inputs.[3] We invited interested parties to comment on the PMS Analysis Memorandum.[4]

A summary of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.[5] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Thailand. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

During the course of this investigation, Commerce received scope comments from parties. Commerce issued a Preliminary Scope Decision Memorandum to address these comments and set aside a period of time for parties to address scope issues in scope-specific case and rebuttal briefs.[6]

We received comments from parties on the Preliminary Scope Decision Memorandum, which we addressed in the Final Scope Decision Memorandum.[7] We made no changes to the scope of the investigation from the scope published in the *Preliminary Determination,* as provided in Appendix I to this notice.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, Commerce conducted on-site verifications of the sales and cost information submitted by TTL.[8] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by TTL.

Final Affirmative Determination of Critical Circumstances

Commerce preliminarily determined, in accordance with section 733(e)(1) of the Act, and 19 CFR 351.206, that critical circumstances exist with respect to imports of solar cells from Thailand for the mandatory respondent, Trina Solar Science & Technology (Thailand) Ltd. (TTL). Commerce also preliminarily determined that critical circumstances exist for all other exporters and producers of solar cells as well as for Sunshine Electrical Energy (Sunshine Electrical) and Taihua New Energy (Thailand) Co. Ltd (Taihua New Energy). For the final determination, pursuant to sections 735(a)(3)(A) and (B) of the Act and 19 CFR 351.206, we continue to find that critical circumstances exist for these companies. Based on our analysis of comments received regarding our affirmative preliminary critical circumstances determination,[9] Commerce continues to find that critical circumstances exist with respect to imports of solar cells from Thailand for these companies and all other exporters and producers of solar cells. For a full description of the methodology and results of Commerce's critical circumstances analysis, *see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

Changes Since the Preliminary Determination

We made certain changes regarding TTL's cost of production and sales data pursuant to our verification findings and post-preliminary finding of a particular market situation. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available

As discussed in the *Preliminary Determination,* Commerce assigned an estimated weighted-average dumping margin on the basis of adverse facts available (AFA), pursuant to sections 776(a) and (b) of the Act, to the two companies (*i.e.,* Sunshine Electrical Energy and Taihua New Energy (Thailand) Co. Ltd.) that were unresponsive to the quantity and value questionnaire.[10] There is no new information on the record that would cause us to revisit our decision in the *Preliminary Determination.* Accordingly, for the reasons explained in the *Preliminary Determination,* and consistent with Commerce's practice, as AFA, we assigned the highest non-aberrational individual transaction-specific margin on the record to Sunshine Electrical Energy and Taihua New Energy (Thailand) Co. Ltd.[11]

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Thailand: Preliminary Affirmative Determination of Sales at Less-Than-Fair-Value, Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures,* 89 FR 96214 (December 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Less-Than-Fair-Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Thailand: Post-Preliminary Analysis of the Particular Market Situation Allegation,'' dated March 24, 2025 (PMS Analysis Memorandum).

[3] *Id.* at 21.

[4] *See* Memorandum, ''Briefing Schedule for Case and Rebuttal Briefs: Particular Market Situation Analysis,'' dated March 25, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Thailand,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024 (Preliminary Scope Decision Memorandum).

[7] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

[8] *See* Memorandum, ''Verification of the Cost Response of Trina Solar Science & Technology (Thailand) Ltd. in the Less Than Fair Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand,'' dated March 6, 2025 and Memorandum, ''Verification of the Sales Response of Trina Solar Science & Technology (Thailand) Ltd.'s U.S. Affiliate, Trina Solar (U.S.), Inc., in the Less-Than-Fair-Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand,'' February 28, 2025.

[9] *See Preliminary Determination* PDM at 6.

[10] *See Preliminary Determination,* 89 FR 92615.

[11] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Thailand,'' dated

All-Others Rate

Sections 733(d)(1)(A)(ii) and 735(c)(5)(A) of the Act provide that, in the preliminary determination, Commerce shall determine an estimated all-others rate for all other exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually examined, excluding rates that are zero, *de minimis,* or determined entirely under section 776 of the Act.

In this investigation, Commerce calculated an individual estimated weighted-average dumping margin for TTL, the only individually examined exporter/producer in this investigation. Because the only individually calculated dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for TTL is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act. In the *Preliminary Determination,* Commerce determined the rates for Sunshine Electrical and Taihua New Energy entirely under facts available with an adverse inference.[12] We received no comments on our findings with respect to Sunshine Electrical and Taihua New Energy. Accordingly, we continue to determine the rates for Sunshine Electrical and Taihua New Energy entirely under facts available with an adverse inference.[13]

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Trina Solar Science & Technology (Thailand) Ltd	111.45	111.45
Sunshine Electrical Energy	*202.90	172.68
Taihua New Energy (Thailand) Co. Ltd	*202.90	172.68
All Others	111.45	111.45

*Rates based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose the calculations performed in connection with this final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(4) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of subject merchandise, as described in Appendix I to this notice from: (1) TTL, (2) exporters and/or producers subject to the all others rate, (3) Sunshine Electrical Energy, and (4) Taihua New Energy (Thailand) Co. Ltd. that are entered, or withdrawn from warehouse, for consumption, on or after September 5, 2024, which is 90 days prior to the date of publication of the affirmative *Preliminary Determination* in the **Federal Register**. These suspension of liquidation instructions will remain in effect until further notice.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties for such entries as follows: (1) the cash deposit rate for the respondents listed in the table above is the company-specific estimated weighted-average dumping margins listed for the respondents in the table; (2) if the exporter is not a respondent listed in the table above, but the producer is, then the cash deposit rate is the company-specific estimated weighted-average dumping margins listed for the producer of the subject merchandise in the table above; and (3) the cash deposit rate for all other producers and exporters is the all-others estimated weighted-average dumping margins listed in the table above.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. However, provisional measures in the companion CVD proceeding are no longer in effect and suspension of liquidation was discontinued. Therefore, we will instruct CBP to collect cash deposits based upon the estimated weighted-average dumping margin shown in the ''Final Determination'' section above, unadjusted for CVD export subsidies.[14]

U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of solar cells no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the ''Continuation of Suspension of Liquidation'' section above.

November 27, 2024 (Preliminary Decision Memorandum) at ''Application of Facts Available and Use of Adverse Inferences.''

[12] *Id.*

[13] *See* Memorandum, ''Final Determination Analysis Memorandum for Trina Solar Science & Technology (Thailand) Ltd.,'' dated concurrently with this notice.

[14] *See* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or February 1, 2025. *See* CBP Message 5031407, ''Discontinuation of suspension of liquidation in the countervailing duty investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled not Modules from Thailand (C–549–852), dated January 31, 2025.

Administrative Protective Order

This notice serves as the final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500

cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); *and Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Adjustments to Cash Deposit Rates for Export Subsidies
V. Discussion of the Issues
Comment 1: Whether Commerce Should Adjust TTL's Costs in Accordance with Issues Raised in its Cost Verification Report
Comment 2: Whether Commerce Should Have Selected Two Mandatory Respondents
Comment 3: Whether Commerce Should Use Financial Ratios Derived from Risen Solar to Calculate TTL's Constructed Value Profit and Selling Expenses
Comment 4: Whether Commerce Should Adjust TTL's Antidumping Duty Margin To Account for Subsidies Countervailed
Comment 5: Whether the Final Determination Should Continue to Base the ''All Others'' Weighted-Average Dumping Margin on TTL's Rate
Comment 6: Whether Commerce Should Render A Negative Critical Circumstances Determination
Comment 7: Whether Commerce Should Adjust Its Major Input and Transactions Disregarded Rules Analyses
Comment 8: Whether Commerce Should Find the Existence of a Particular Market Situation Affecting Solar Inputs
Comment 9: Whether Commerce Should Adjust TTL's Reported Costs to Address the Particular Market Situation Affecting Solar Inputs
VI. Recommendation

[FR Doc. 2025–07137 Filed 4–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–552–842]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the Socialist Republic of Vietnam: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination, in Part

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells) from the Socialist Republic of Vietnam (Vietnam). The period of investigation is January 1, 2023, through December 31, 2023.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Amber Hodak, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–8034.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 2024, Commerce published the *Preliminary Determination* in the **Federal Register** and aligned this countervailing duty (CVD) final determination with the final determination in the less-than-fair value investigation of solar cells from Vietnam, in accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4).[1] A summary of the events that occurred since Commerce published the *Preliminary Determination,* may be found in the Issues and Decision Memorandum.[2] The

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, In Part, and Alignment of Final Determination with Final Antidumping Duty Determination,* 89 FR 80866 (October 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from the Socialist Republic of Vietnam,'' dated concurrently with this notice (Issues and Decision Memorandum).

Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Vietnam. For a complete description of the scope of this investigation, *see* appendix I.

Scope Comments

In the Preliminary Scope Decision Memoranda, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case or other written comments on scope issues.[3] Between December 27, 2024, and January 3, 2025, Commerce received a scope case brief and a rebuttal brief from JA Solar USA Inc. and JA Solar Vietnam Company Limited (collectively, JA Solar) and the American Alliance for Solar Manufacturing Trade Committee (Petitioner), respectively.[4] For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[5] In the Final Scope Memorandum, Commerce determined that it is modifying the scope language as it appeared in the *Initiation Notice. See* appendix I.

Verification

As provided in section 782(i) of the Act, Commerce conducted verification relied upon in making its final determination in this investigation. Specifically, we conducted on-site verifications of the information reported by the Government of Vietnam (GOV); Boviet Solar Technology Co., Ltd. (Boviet Solar); and JA Solar Vietnam Company Limited (JAVN), and JAVN's cross-owned affiliates, JA Solar PV Vietnam Company Limited, and JA Solar NE Vietnam Company Limited (collectively, JA Solar), using standard verification procedures, including an examination of relevant accounting records, and original source documents provided by the GOV, Boviet Solar, and JA Solar.[6]

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are discussed in the Issues and Decision Memorandum. For a list of the issues raised by interested parties and addressed in the Issues and Decision Memorandum, *see* appendix II.

Changes Since the Preliminary Determination

We have made certain changes to the subsidy calculations for Boviet Solar and JAVN since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum.

In making this final determination, Commerce relied on facts otherwise available, including with an adverse inference (AFA), pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of AFA, *see* the Issues and Decision Memorandum section entitled, ''Use of Facts Otherwise Available and Application of Adverse Inferences.''

Final Affirmative Determination of Critical Circumstances, in Part

For this final determination, consistent with section 705(a)(2) of the Act, we find that critical circumstances do not exist for JAVN, and we find that critical circumstances exist for the following companies: (1) Boviet Solar; (2) GEP New Energy Viet Nam Company Limited; (3) Vietnam Green Energy Commercial Services Company Ltd.; (4) Shengtian New Energy Vina Co., Ltd; (5) HT Solar Vietnam Limited Company; and (6) all other producers and exporters.[8]

All-Others Rate

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an individual estimated countervailable subsidy rate for the two mandatory respondents, Boviet Solar and JAVN. Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act.

At the final determination, we calculated individual estimated countervailable subsidy rates for Boviet Solar and JAVN that are not zero, *de minimis,* or based entirely on facts otherwise available. We, therefore, calculated the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents (Boviet Solar and JAVN) using each company's publicly ranged sales value for their exports to the United States of subject merchandise, in accordance with section 705(c)(5)(A)(i) of the Act.[9]

[3] *See* Memoranda, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' and ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from Vietnam,'' both dated November 27, 2024 (collectively, Preliminary Scope Decision Memoranda).

[4] *See* JA Solar's Letter, ''Scope Case Brief,'' dated December 27, 2024; and Petitioner's Letter ''Rebuttal Scope Brief,'' dated January 3, 2025.

[5] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

[6] *See* Memoranda, ''Verification of the Government of Socialist Republic of Vietnam,'' ''Report on Verification of Boviet Solar Technology Co., Ltd.,'' and ''Report on Verification of JA Solar Vietnam Company Limited and Its Affiliates,'' each dated February 20, 2025.

[7] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; *see also* section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[8] Commerce preliminary determined, pursuant to section 703(e)(1) of the Act, critical circumstances did not exist for Boviet Solar and JAVN. However, Commerce preliminarily determined that critical circumstances existed for: (1) GEP New Energy Viet Nam Company Limited; (2) Vietnam Green Energy Commercial Services Company Ltd.; (3) Shengtian New Energy Vina Co., Ltd; (4) HT Solar Vietnam Limited Company; and (5) all other producers and exporters that enter subject merchandise under the All Others subsidy rate. *See Preliminary Determination,* 89 FR 80867.

[9] At the *Preliminary Determination,* we preliminarily found a *de minimis* rate for Boviet Solar. Therefore, the only rate that was not zero, *de minimis,* or based entirely on facts otherwise available was the rate calculated for JAVN. *See Preliminary Determination,* 89 FR 80868. For this final determination, we are now revising the all-others rate to calculate the rate based on a weighted average of the final rates for Boviet Solar and JAVN.

Final Determination

Commerce determines that the following countervailable subsidy rates exist: [10]

Company	Subsidy rate (percent *ad valorem*)
Boviet Solar Technology Co., Ltd	230.66
JA Solar Vietnam Company Limited; JA Solar PV Vietnam Company Limited; JA Solar NE Vietnam Company Limited	68.15
GEP New Energy Viet Nam Company Limited	* 542.64
HT Solar Vietnam Limited Company	* 542.64
Shengtian New Energy Vina Co., Ltd	* 542.64
Vietnam Green Energy Commercial Services Company Ltd	* 542.64
All Others	124.57

* Rate based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

We will instruct U.S. Customs and Border Protection (CBP) to start or continue to suspend liquidation of all appropriate entries of subject merchandise, as described in appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption as described below.

Section 703(e)(2) of the Act provides that, given an affirmative determination of critical circumstances, any suspension of liquidation shall apply to unliquidated entries of merchandise entered, or withdrawn from warehouse for consumption on or after the date the later of: (a) the date which is 90 days before the date on which the suspension of liquidation was first ordered; or (b) the date on which notice of initiation of the investigation was published.

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed CBP to collect cash deposits and suspend liquidation of entries of solar cells from Vietnam that were entered, or withdrawn from warehouse, for consumption on or after October 4, 2024, the date of the publication of the *Preliminary Determination* in the **Federal Register**, with respect to entries of solar cells from Vietnam produced and/or exported by JAVN.[11] Because we preliminarily determined that critical circumstances existed with respect to imports of subject merchandise produced and/or exported by: (1) GEP New Energy Viet Nam Company Limited; (2) Vietnam Green Energy Commercial Services Company Ltd.; (3) Shengtian New Energy Vina Co., Ltd; (4) HT Solar Vietnam Limited Company; and all other producers and exporters whose imports enter under the all-others subsidy rate, we instructed CBP to collect cash deposits and suspend liquidation of entries of solar cells from Vietnam produced and/or exported by these companies that were entered, or withdrawn from warehouse, for consumption on or after July 6, 2024, which is 90 days prior to the publication of the *Preliminary Determination* in the **Federal Register**. Because the subsidy rate at the *Preliminary Determination* for Boviet Solar was *de minimis,* Commerce directed CBP not to suspend liquidation of entries of the merchandise from this company.[12]

In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after February 1, 2025, but to continue the suspension of liquidation of all entries of solar cells on or before January 31, 2025.

Provisional measures were not imposed for Boviet Solar following the *Preliminary Determination* because of Commerce's preliminary negative determination with respect to Boviet Solar. However, Commerce's final affirmative critical circumstances determination now applies to Boviet Solar. Accordingly, pursuant to section 703(e)(2)(A) of the Act, Commerce will instruct CBP to suspend liquidation of all appropriate entries from Boviet Solar, which were entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication of this final determination in the **Federal Register**.[13]

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a CVD order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for entries of subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited, or securities posted, as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our final affirmative determination that countervailable subsidies are being provided to producers and exporters of solar cells from Vietnam. Because the final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of solar cells from Vietnam no later than 45 days after our final determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will

[10] As discussed in the *Preliminary Determination* PDM, Commerce has found the following companies to be cross-owned with JA Solar Vietnam Company Limited: JA Solar PV Vietnam Company Limited; JA Solar NE Vietnam Company Limited. *See Preliminary Determination,* 89 FR 80868.

[11] *See Preliminary Determination,* 89 FR 80868.

[12] *Id.*

[13] *Id.*

not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Suspension Liquidation'' section.

Administrative Protective Order

In the event that ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigation.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

(1) Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

(2) Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000 square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a two port rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F)

must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22 AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

(1) Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

(2) Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics: 1. a total power output of 20 watts or less per panel; 2. a maximum surface area of 1,000 cm^2 per panel; 3. does not include a built-in inverter for powering third party devices.

Additionally excluded from the scope of the investigation are off-grid greenhouse shade tracking systems with between 3 and 30 flexible CSPV panels, each permanently affixed to an outer aluminum frame, with (A) no glass cover, (B) no back sheet, (C) no built-in inverter, (D) power output of 220 watts or less per panel, (E) surface area of 10,000 cm squared or less per panel, (F) two clear plastic trusses per panel permanently attached running lengthwise on the same side as the junction boxes, (G) visible parallel grid collector metallic wire lines every 1–4 mm per each cell on same side as junction box, (H) two rectangular plastic junction boxes per panel with at least 16 diodes per panel, and (I) encased in an aluminum frame and laminated without stitching.

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigation; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigation.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Determination of Critical Circumstances
IV. Use of Facts Otherwise Available and Adverse Inferences
V. Subsidies Valuation Information
VI. Analysis of Programs
VII. Discussion of the Issues
- Comment 1: Whether Commerce has the Legal Authority under the World Trade Organization {WTO} Rules and U.S. Law to Investigation Transnational Subsidies
- Comment 2: Policy Lending from Chinese Banks for Belt and Road Initiative (BRI) Capacity Cooperation Projects
- Comment 3: Substantial Evidence for the Cross-Border Provisions of Chinese Polysilicon, Silicon Wafer, Silver Paste, and Solar Glass for Less Than Adequate Remuneration (LTAR)
- Comment 4: Specificity for the Cross-Border Provision of Chinese Origin Polysilicon, Silicon Wafer, Silver Paste, Solar Glass for LTAR
- Comment 5: Whether Commerce was Arbitrary and Capricious
- Comment 6: Whether JAVN's Loans Are Associated with the BRI Capacity Cooperation Projects
- Comment 7: Whether Commerce Should Revise Its Benchmark for the Cross-Border Provision of Chinese Silicon Wafers for LTAR
- Comment 8: Whether JAVN's Purchases of Silicon Wafers Can Be Tied to Non-Subject Merchandise
- Comment 9: Whether Commerce Should Revise Its Benchmark for the Cross-Border Provision of Chinese Silver Paste for LTAR
- Comment 10: Whether Commerce Should Revise Its Benchmark for the Cross-Border Provision of Chinese Solar Glass for LTAR
- Comment 11: Whether Commerce Should Exclude Value Added Tax (VAT) and Import Duties from the Benchmark Calculations
- Comment 12: Whether Commerce Should Revise Its Inland Freight Benchmark
- Comment 13: Whether Import Duty Exemptions on Imported Raw Materials for Export Processing Enterprises (EPE or EPEs) and Export Processing Zones is Countervailable
- Comment 14: Whether Total Adverse Facts Available (AFA) Should Be Applied to JAVN
- Comment 15: Whether AFA Should Be Applied to JAVN in Respect to Import Duty Exemptions on Imported Equipment during the Average Useful Life (AUL) Period
- Comment 16: Whether AFA Should Be Applied to JAVN and Boviet Solar in respect to Import Duty Exemptions on Imported Raw Materials for EPEs and Export Processing Zones
- Comment 17: Critical Circumstances
- Comment 18: Whether JAVN was Uncreditworthy
- Comment 19: Ministerial Error

Comment 20: Whether to Amend the AFA Calculation
VIII. Recommendation

[FR Doc. 2025–07140 Filed 4–24–25; 8:45 am]
BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–168]

Certain Alkyl Phosphate Esters From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain alkyl phosphate esters (alkyl phosphate esters) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV) during the period of investigation (POI) October 1, 2023, through March 31, 2024.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Dennis McClure, or Matthew Lipka, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5973, or (202) 482–7976, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 4, 2024, Commerce published the *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.[1] For a complete description of the events that followed the *Preliminary Determination, see* the Issues and Decision Memorandum.[2]

The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are alkyl phosphate esters from China. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

We received no comments from interested parties on the scope of the investigation as it appeared in the *Preliminary Determination.* Therefore, we made no changes to the scope of the investigation.

Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), between December 2 and 12, 2024, Commerce conducted verification of the sales and factors of production information submitted by Zhejiang Wansheng Co., Ltd. (Zhejiang Wansheng) and Anhui RunYue Technology Co., Ltd. (Anhui RunYue).[3] We used standard verification procedures, including an examination of relevant accounting records and original source documents provided by Zhejiang Wansheng and Anhui RunYue.

Analysis of Comments Received

The issues raised in the case and rebuttal briefs by the parties in this investigation are discussed in the Issues and Decision Memorandum. For a list of the issues raised by interested parties and addressed in the Issues and Decision Memorandum, *see* Appendix II.

Changes Since the Preliminary Determination

Based on our review and analysis of the information received during verification and comments received from interested parties for this final determination, we made certain changes to the estimated weighted-average dumping margins for Zhejiang Wansheng and Anhui RunYue. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available (AFA)

Consistent with the *Preliminary Determination,*[4] Commerce continues to find, pursuant to sections 776(a) and (b) of the Act, that the use of facts otherwise available, with adverse inferences, is warranted in determining the dumping rate for the China-wide entity. In the *Preliminary Determination,* Commerce applied Anhui RunYue's highest transaction-specific dumping margin to the China-wide entity as AFA.[5] There is no new information on the record that would cause us to reconsider our decision in the *Preliminary Determination.* Thus, we made no changes to our analysis for the China-wide entity. We are assigning a rate of 269.02 percent,[6] which is the highest calculated individual dumping margin of any respondent in the investigation for this final determination, to the China-wide entity.[7] For a full description of the methodology underlying Commerce's final determination, *see* the Issues and Decision Memorandum.

Separate Rates

No interested parties commented on Commerce's preliminary separate rate determinations,[8] and we have no basis to reconsider the determinations. Accordingly, we continue to find that Zhejiang Wansheng, Anhui RunYue, and certain non-individually examined companies that are listed in the rate table below, are eligible for a separate rate.

Combination Rates

Consistent with the *Preliminary Determination,* and Policy Bulletin 05.1,[9] Commerce calculated exporter/producer combination rates for the respondents that are eligible for a separate rate.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist for the period October 1, 2023, through March 31, 2024:

[1] *See Certain Alkyl Phosphate Esters from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination and Extension of Provisional Measures,* 89 FR 96223 (December 4, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Alkyl Phosphate Esters from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[3] *See* Memoranda, ''Verification of the Questionnaire Responses of Zhejiang Wansheng Co., Ltd.,'' dated January 16, 2025; and ''Verification of the Questionnaire Responses of Anhui RunYue Technology Co., Ltd.,'' dated January 31, 2025.

[4] *See Preliminary Determination* PDM at 17–20.

[5] *Id.*

[6] Without adjustment for subsidy offsets.

[7] *See* Memorandum, ''Analysis for Anhui RunYue Technology Co., Ltd. for the Final Determination of the Investigation of Certain Alkyl Phosphate Esters from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice; *see also* Issues and Decision Memorandum.

[8] *See Preliminary Determination* PDM at 11–16.

[9] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' (April 5, 2005) (Policy Bulletin 05.1), available at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

Exporter	Producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent) [10]
Anhui RunYue Technology Co., Ltd	Anhui RunYue Technology Co., Ltd	254.60	167.46
Zhejiang Wansheng Co., Ltd	Zhejiang Wansheng Co., Ltd	152.38	126.45
ACETO (SHANGHAI) LTD	Xinji Hongzheng Chemical Co., Ltd	174.40	135.28
Anhui Shengli Import and Export Co., Ltd	Anhui Shengli Pesticide & Chemistry Co., Ltd	174.40	135.28
Anhui Shengli Import and Export Co., Ltd	Ningguo Long Day Chemical Co., Ltd	174.40	135.28
Fujian Wynca Technology Co., Ltd	Fujian Wynca Technology Co., Ltd	174.40	135.28
Fujian Wynca Technology Co., Ltd	Anhui RunYue Technology Co., Ltd	174.40	135.28
Fujian Wynca Technology Co., Ltd	Shandong Yarong Chemical Co., Ltd	174.40	135.28
Shandong Yarong Chemical Co., Ltd	Shandong Yarong Chemical Co., Ltd	174.40	135.28
Shanghai Iroyal Chemical Co., Ltd	Futong Chemical Co., Ltd	174.40	135.28
Shanghai Iroyal Chemical Co., Ltd	Fujian Wynca Technology Co., Ltd	174.40	135.28
Shanghai Iroyal Chemical Co., Ltd	Zhejiang Hong Hao Technology Co., Ltd	174.40	135.28
Shanghai Iroyal Chemical Co., Ltd	Shandong Yarong Chemical Co., Ltd	174.40	135.28
Shanghai Iroyal Chemical Co., Ltd	Xuancheng City Trooyawn Refined Chemical Industry Co., Ltd.	174.40	135.28
Shanghai Yongxiangshun International Trade Co., Ltd	Hebei Zhenxing Chemical and Rubber Co., Ltd	174.40	135.28
Xuancheng City Trooyawn Refined Chemical Industry Co., Ltd.	Xuancheng City Trooyawn Refined Chemical Industry Co., Ltd.	174.40	135.28
Yoke Chemicals and New Materials (Shanghai) Co. Ltd.	Jiangsu Yoke Technology Co., Ltd	174.40	135.28
Zhangjiagang Fortune Chemical Co., Ltd	Nantong Jiangshan Agrochemical & Chemicals Limited Liability Co., Ltd.	174.40	135.28
Zhangjiagnag Fortune Chemical Co., Ltd	Shandong Yarong Chemical Co., Ltd	174.40	135.28
China Wide-Entity		*269.02	243.09

* This rate is based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose the calculations performed in connection with this final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after December 4, 2024, the date of publication in the **Federal Register** of the *Preliminary Determination.*

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, Commerce will instruct CBP to require a cash deposit for estimated antidumping duties for appropriate entries. To determine the antidumping duty cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of domestic subsidy pass-through and export subsidies determined in a companion countervailing duty (CVD) proceeding. As Commerce made an affirmative determination for domestic subsidy pass-through, we have offset the calculated estimated weighted-average dumping margins in the above table by the appropriate subsidy rates to calculate the applicable cash deposit rates. In the companion CVD final determination, Commerce determined no export subsidy rates exist for Anhui RunYue or Zhejiang Wansheng.[11] Thus, because the mandatory respondents and all-other companies in the companion CVD investigation had no export subsidy rates, Commerce is not offsetting the mandatory respondents' or the all-others estimated weighted-average dumping margins for export subsidies.

Commerce will instruct CBP to require the following cash deposits for estimated antidumping duties for all appropriate entries: (1) for the producer/exporter combinations listed in the table above, the applicable cash deposit rate is listed in the table for that combination; (2) for all combinations of Chinese producers/exporters of the merchandise under consideration that have not established eligibility for a separate rate, the cash deposit rate will be equal to the cash deposit rate listed for the China-wide entity in the table above; and (3) for all third-country exporters of the merchandise under consideration that are not listed in the table above, the cash deposit rate is the cash deposit rate applicable to the Chinese producer/exporter combination or the China-wide entity that supplied that third-country exporter. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC)

In accordance with section 735(d) of the Act, we will notify the ITC of this final affirmative determination of sales at LTFV. Because the final determination in this investigation is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of alkyl phosphate esters no later than 45 days after this final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded or canceled, and suspension of liquidation

[10] *See* Memorandum, ''Final Analysis of Double Remedy,'' dated concurrently with this notice.

[11] *See* unpublished **Federal Register** notice, ''Certain Alkyl Phosphate Esters from the People's Republic of China: Final Affirmative Countervailing Duty Determination,'' dated concurrently with this notice.

will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instructions by Commerce, antidumping duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are alkyl phosphate esters, which are halogenated and non-halogenated phosphorus-based esters with a phosphorus content of at least 6.5 percent (per weight) and a viscosity between 1 and 2000 mPa.s (at 20–25 °C).

Merchandise subject to this investigation primarily includes Tris (2-chloroisopropyl) phosphate (TCPP), Tris(1,3-dichloroisopropyl) phosphate (TDCP), and Triethyl Phosphate (TEP).

TCPP is also known as Tris (1-chloro-2-propyl) phosphate, Tris (1-chloropropan-2-yl) phosphate, Tris (monochloroisopropyl) phosphate (TMCP), and Tris (2-chloroisopropyl) phosphate (TCIP). TCPP has the chemical formula C9H18Cl3O4P and the Chemical Abstracts Service (CAS) Nos. 1244733–77–4 and 13674–84–5. It may also be identified as CAS No. 6145–73–9.

TDCP is also known as Tris (1,3-dichloroisopropyl) phosphate, Tris (1,3-dichloro-2-propyl) phosphate, Chlorinated tris, tris {2- chloro-1-(chloromethyl ethyl)} phosphate, TDCPP, and TDCIPP. TDCP has the chemical formula C9H15Cl6O4P and the CAS No. 13674–87–8.

TEP is also known as Phosphoric acid triethyl ester, phosphoric ester, flame retardant TEP, Tris(ethyl) phosphate, Triethoxyphosphine oxide, and Ethyl phosphate (neutral). TEP has the chemical formula (C2H5O)3PO and the CAS No. 78–40–0.

Imported alkyl phosphate esters are not excluded from the scope of this investigation even if the imported alkyl phosphate ester consists of a single isomer or combination of isomers in proportions different from the isomers ordinarily provided in the market.

Also included in this investigation are blends including one or more alkyl phosphate esters, with or without other substances, where the alkyl phosphate esters account for 20 percent or more of the blend by weight.

Alkyl phosphate esters are classified under subheading 2919.90.5050, Harmonized Tariff Schedule of the United States (HTSUS). Imports may also be classified under subheadings 2919.90.5010 and 3824.99.5000, HTSUS. The HTSUS subheadings and CAS registry numbers are provided for convenience and customs purposes. The written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
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[FR Doc. 2025–07131 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–555–004]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules From Cambodia: Final Affirmative Countervailing Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells) from Cambodia. The period of investigation is January 1, 2023, through December 31, 2023.

DATES: Applicable April 25, 2025.

FOR FURTHER INFORMATION CONTACT: Dusten Hom, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5075.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 2024, Commerce published the *Preliminary Determination* in the **Federal Register**.[1] A summary of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.[2] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules From the Kingdom of Cambodia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination,* 89 FR 80877 (October 4, 2024) (*Preliminary Determination*).

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of the Countervailing Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from Cambodia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The products covered by this investigation are solar cells from Cambodia. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case or other written comments on scope issues.[3] Between December 27, 2024, and January 3, 2025, Commerce received a scope case brief and a rebuttal brief from JA Solar USA Inc. and JA Solar Vietnam Company Limited (collectively, JA Solar) and the American Alliance for Solar Manufacturing Trade Committee (Petitioner), respectively.[4] For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[5] In the Final Scope Memorandum, Commerce determined that it is modifying the scope language as it appeared in the *Initiation Notice. See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the subsidy information reported by the Government of Cambodia, Solarspace Technology Co., Ltd. (Solarspace Tech), and Solarspace New Energy (Cambodia) Co., Ltd (Solarspace) in January 2025 using standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by the Government of Cambodia, Solarspace Tech, and Solarspace.[6]

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs submitted by parties in this investigation are discussed in the Issues and Decision Memorandum. For a list of the issues raised by parties and addressed in the Issues and Decision Memorandum, *see* Appendix II.

Changes Since the Preliminary Determination

Based on our review and analysis of the information received during verification and comments received from parties, for this final determination, we made certain changes to the countervailable subsidy rate calculations for Solarspace and for all other producers/exporters. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum

Commerce notes that, in making these findings, it relied on facts available, and, because it finds that certain respondents, the Government of China and the Government of Cambodia did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.[8] For further information, see the ''Use of Facts Otherwise Available and Application of Adverse Inferences'' section in the Issues and Decision Memorandum.

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted average countervailable subsidy rates established for those exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates and any rates based entirely under section 776 of the Act.

Commerce calculated an individual estimated countervailable subsidy rate for Solarspace, the only individually examined exporter/producer in this investigation. Because the only individually calculated rate is not zero, *de minimis,* or based entirely under section 776 of the Act, the estimated weighted-average rate calculated for Solarspace is the rate assigned to all other producers and exporters, pursuant to section 705(c)(5)(A)(i) of the Act.

Final Determination

Commerce determines that the following estimated countervailable subsidy rates exist for the period of January 1, 2023 through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
Solarspace New Energy (Cambodia) Co., Ltd	534.67
Jintek Photovoltaic Technology Co., Ltd	*3,403.96
Hounen Solar Inc Co., Ltd	*3,403.96
ISC Cambodia	*3,403.96
Solar Long PV-Tech (Cambodia) Co., Ltd	*3,403.96
All Others	534.67

*Rate based on facts available with adverse inferences.

[3] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, and Thailand: Preliminary Scope Decision Memorandum,'' dated November 27, 2024. (Preliminary Scope Decision Memorandum).

[4] *See* JA Solar's Letter, ''Scope Case Brief,'' dated December 27, 2024; and Petitioner's Letter ''Rebuttal Scope Brief,'' dated January 3, 2025.

[5] *See* Memorandum, ''Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Decision Memorandum).

[6] *See* Memorandums, ''Verification of Solarspace Technology Co., Ltd.,'' dated February 11, 2025; ''Verification of Solarspace New Energy (Cambodia) Co., Ltd.,'' dated February 15, 2025; and ''Notification of Deadlines for the submission of Case and Rebuttal Briefs,'' dated February 18, 2025 at Attachment.

[7] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[8] *See* Issues and Decision Memorandum at 3.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after October 4, 2024, the date of publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, effective February 1, 2025, we instructed CBP to discontinue the suspension of liquidation of all entries at that time, but to continue the suspension of liquidation of all entries from October 4, 2024, through January 31, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above, in accordance with section 706(a) of the Act. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of solar cells from Cambodia. As Commerce's final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of solar cells from Cambodia. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Administrative Protective Order

In the event that the ITC issues a final negative injury determination, this notice will serve as the final reminder to parties subject to the APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: April 18, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This investigation covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the investigations.

Excluded from the scope of the investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the investigation are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the investigation are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the investigation are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics: (A) a total power output of 100 watts or less per panel; (B) a maximum surface area of 8,000 cm^2 per panel; (C) do not include a built-in inverter; (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and (E) each panel is (1) permanently integrated into a consumer good; (2) encased in a laminated material without stitching, or (3) has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the investigation: off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 80 watts per panel; (B) a surface area of less than 5,000

square centimeters (cm^2) per panel; (C) do not include a built-in inverter; (D) do not have a frame around the edges of the panel; (E) include a clear glass back panel; and (F) must include a permanently connected wire that terminates in a twoport rectangular connector.

Additionally excluded from the scope of this investigation are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8 mm diameter male barrel connector.

Also excluded from the scope of this investigation are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water: (A) a total power output of no more than 180 watts per panel at 155 degrees Celsius; (B) a surface area of less than 16,000 square centimeters (cm^2) per panel; (C) include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells; (D) do not include a built-in inverter; (E) do not have a frame around the edges of the panel; (F) include a clear glass back panel; (G) must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector; (H) include a thermistor installed into the permanently connected wire before the twoport connector; and (I) include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Further excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) no built-in inverter, (D) an integrated handle or a handle attached to the package for ease of carry, (E) one or more integrated kickstands for easy installation or angle adjustment, and (F) a wire either permanently connected or attached to the package terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure.

Also excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 200 watts or less per panel, (B) a maximum surface area of 10,500 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure, (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Small off-grid panels with glass cover, with the following characteristics: (A) surface area from 3,450 mm^2 to 33,782 mm^2, (B) with one black wire and one red wire (each of type 22AWG or 28 AWG not more than 350 mm in length when measured from panel extrusion), (C) not exceeding 10 volts, (D) not exceeding 1.1 amps, (E) not exceeding 6 watts, and (F) for the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Additionally excluded from the scope of the investigation are:

1. Off grid rigid CSPV panels with a glass cover, with the following characteristics: (A) a total power output of 175 watts or less per panel, (B) a maximum surface area of 9,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include a permanently connected wire that terminates in waterproof connector with a cylindrical positive electrode and a rectangular negative electrode with the positive and negative electrodes having an interlocking structure; (E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features); and

2. Off grid CSPV panels without a glass cover, with the following characteristics, (A) a total power output of 220 watts or less per panel, (B) a maximum surface area of 16,000 cm^2 per panel, (C) do not include a built-in inverter, (D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell, and (E) each panel is encased in a laminated material without stitching.

Also excluded from the scope of this investigation are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. a total power output of 20 watts or less per panel;

2. a maximum surface area of 1,000 cm^2 per panel;

3. does not include a built-in inverter for powering third party devices

Modules, laminates, and panels produced in a third-country from cells produced in a subject country are covered by the investigations; however, modules, laminates, and panels produced in a subject country from cells produced in a third-country are not covered by the investigations.

Also excluded from the scope of this investigation are all products covered by the scope of the antidumping and countervailing duty orders on *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012); and *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012).

Merchandise covered by the investigation is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8541.42.0010 and 8541.43.0010. Imports of the subject merchandise may enter under HTSUS subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, and 8507.20.8091. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the investigations is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Use of Facts Otherwise Available and Application of Adverse Inferences
V. Subsidies Valuation Information
VI. Analysis of Programs
VII. Discussion of the Issues
- Comment 1: Whether Commerce has the Legal Authority under the WTO Rules and U.S. Law to Investigate Transnational Subsidies
- Comment 2: Selection of Silicon Wafer and Solar Glass Benchmarks
- Comment 3: Policy Lending from Chinese Banks for Belt and Road Initiative (BRI) Capacity Cooperation Projects
- Comment 4: Substantial Evidence for the Cross-Border Provision of Chinese Polysilicon, Silicon Wafer, Silver Paste, Solar Glass for Less-Than-Adequate-Remuneration (LTAR)
- Comment 5: Specificity for the Cross-Border Provision of Chinese Polysilicon, Silicon Wafer, Silver Paste, Solar Glass for LTAR

Comment 6: Whether the Cross-Border Provision of Chinese Silicon Wafer for LTAR is Tied to Non-Subject Merchandise
Comment 7: Application of Adverse Facts Available (AFA) to the Government of Cambodia's Responses
Comment 8: AFA Rates
Comment 9: ISC Cambodia
Comment 10: Specificity of Electricity Programs
Comment 11: Benefit of Customs Duty Exemption for Raw Materials Program
Comment 12: Specificity of Business Recovery Guarantee Scheme
VIII. Recommendation

[FR Doc. 2025–07134 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE793]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Eareckson Air Station Fuel Pier Repair in Alcan Harbor on Shemya Island, Alaska

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 United States Air Force Pacific Air Forces Regional Support Center (USAF) to incidentally harass marine mammals during construction activities associated with a the Eareckson Air Station (EAS) Fuel Pier Repair project in Alcan Harbor on Shemya Island, Alaska.

DATES: This authorization is effective 1 year from the date of issuance.

ADDRESSES: Electronic copies of the original application and supporting documents, as well as a list of references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act.* In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Kate Fleming, 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.

History of Request

On May 15, 2023, NMFS received an application from U.S. Army Corps of Engineers on behalf of USAF for an IHA to take marine mammals incidental to construction associated with the EAS Fuel Pier repair in Alcan Harbor on Shemya Island, Alaska. NMFS published a notice of a proposed IHA and request for comments in the **Federal Register** on October 10, 2023 (88 FR 74451). On March 5, 2024, NMFS issued an IHA that was effective from April 1, 2024 through March 31, 2025 (89 FR 17423, March 11, 2024). In-water work associated with the project was expected to be completed between April and October 2024.

On September 23, 2024, USAF informed NMFS that work on the project had experienced significant delays due to piling production delays and weather and would not be completed during the 2024 IHA time period USAF completed a portion of the construction work that was covered by the 2024 IHA and submitted a monitoring report demonstrating that the required mitigation and monitoring requirements were satisfied, no impacts of a scale or nature not previously analyzed or authorized occurred as a result of the activities conducted, and the IHA holder did not exceed the authorized levels of take under that IHA.

On September 23, 2024, NMFS received a letter from USAF requesting renewal of the 2024 IHA (2024 request) to conduct nearly identical construction activities that were previously analyzed under the 2024 IHA. On May 3, 2024, NMFS published (89 FR 36762) and solicited public comment on its draft updated Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing Underwater and In-Air Criteria for Onset of Auditory Injury and Temporary Threshold Shifts (Version 3.0) (2024 Technical Guidance), which includes updated thresholds and weighting functions to inform auditory injury (AUD INJ) estimates. The public comment period ended on June 17th, 2024, and the 2024 Technical Guidance was finalized on October 24, 2024. While USAF's planned activity would ordinarily qualify for a renewal of the IHA, NMFS determined that a renewal of the 2024 IHA is not appropriate in this case because application of the updated Guidance indicates that substantial modification of the prescribed shutdown zones and updates to authorized take numbers for certain species is appropriate.

On December 16, 2024, USAF revised their request to indicate that all work completed during the 2024 season would need to be redone, due to shifting sediments and improperly functioning piles. As such, the same work analyzed under the 2024 IHA is planned for the current IHA, across the same number of construction days. This includes the (1) installation of 208 42-inch (107 cm) round steel interlocking pipe piles (2) the installation of 60 30-inch (76 cm) steel template piles and, (3) the removal of 64 30-inch steel template piles, which includes the removal of 4 additional piles that were installed under the 2024 IHA.

Additionally, USAF also requested to reduce the size of the shutdown zones established for low-frequency cetaceans due to practicability concerns associated with excessive fog. Under this IHA, USAF plans to conduct pile driving activities between the in water work window dates of April 2025 through

October 2025. The activities are nearly identical to those analyzed under the 2024 IHA, but the mitigation zones and number of authorized takes have been adjusted to account for the isopleths calculated using the 2024 Technical Guidance and the request to adjust the shutdown zone for low frequency cetaceans. The USAF request was deemed adequate and complete on January 23, 2024. In evaluating the request, and where applicable, NMFS relies on the information previously presented in notices associated with issuance of the 2024 IHA (88 FR 74451, October 31, 2023; 89 FR 17423, March 11, 2024).

Description of the Specified Activity and Anticipated Impacts

USAF is conducting long-term repairs on the only existing fuel pier at EAS on Shemya Island, Alaska. The activities that have the potential to take marine mammals, by Level A and Level B harassment, include down-the-hole drilling, vibratory and impact installation of temporary and permanent steel interlocking pipe piles, and vibratory removal of temporary steel interlocking pipe piles. The marine construction associated with the activities is planned to occur over 160 days, between April and October 2025. The IHA is effective from Date to Date.

The fuel pier replacement project includes the installation of an interlocking steel pipe combi-wall system, which requires (1) installation of 208 42″ round steel interlocking pipe piles (2) installation of 60 30-inch steel template pipe piles and (3) removal of 64 30″ template pipe piles, which includes the removal of 4 additional piles that were installed under the 2024 IHA, across the same number of construction days (n=160) between April and October 2025.

A detailed description of the construction project is provided in the **Federal Register** notice for the proposed 2024 IHA (88 FR 74451, October 31, 2023) and the proposed 2025 IHA (90 FR 11952, March 13, 2025). Therefore, a detailed description is not provided here. Please refer to the **Federal Register** notices for the description of the specific activity.

Comments and Responses

A notice of NMFS' proposal to issue an IHA to USAF was published in the **Federal Register** on DATE (90 FR 11952, March 13, 2025). That notice described, in detail, USAF's activity, the marine mammal species that may be affected by the activity, 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 persons submit relevant information, suggestions, and comments. During the 30-day public comment period, NMFS did not receive any substantive comments on the proposed IHA.

Description of Marine Mammals

A detailed description of the species likely to be affected by USAF's Fuel Pier Repair project, including brief introductions to the species and relevant stocks, available information regarding population trends and threats, and information regarding local occurrence, were provided in the **Federal Register** notice for the proposed IHA (88 FR 74451, October 31, 2023); since that time, we are not aware of any changes in the status of these species and stocks; therefore, detailed descriptions are not provided here. A summary of species is provided in table 1. NMFS reviewed the most recent SARs, including the draft 2024 SARs, (found on NMFS' website at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments*), up-to-date information on relevant Unusual Mortality Events (UMEs; *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-unusual-mortality-events*), and recent scientific literature and determined that the new information does not change our original analysis of impacts under the 2024 IHA. Please refer to that **Federal Register** notice for these descriptions. Please also refer to NMFS' website (*https://www.fisheries.noaa.gov/find-species*) for generalized species accounts.

TABLE 1—SPECIES LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Order Artiodactyla—Infraorder Cetacea—Mysticeti (baleen whales)						
Family Balaenopteridae:						
Fin whale	*Balaenoptera physalus*	Northeast Pacific	E, D, Y	UND (UND, UND, 2013) [4]	UND	0.6
Humpback whale	*Megaptera novaeangliae*	Western North Pacific	E, D, Y	1,084, (0.088, 1,007, 2006)	3.4	5.82
		Mexico—North Pacific	T, D, Y	N/A (N/A, N/A, 2006) [5]	UND	0.56
		Hawai'i	-, -, N	11,278 (0.56, 7,265, 2020)	127	19.6
Minke whale	*Balaenoptera acutorostrata*	Alaska	-, -, -	N/A (N/A, N/A, N/A) [6]	UND	0
Odontoceti (toothed whales, dolphins, and porpoises)						
Family Physeteridae:						
Sperm whale	*Physeter macrocephalus*	North Pacific	E, D, Y	UND (UND, UND, 2015) [7]	UND	3.5
Family Ziphiidae (beaked whales):						
Baird's beaked whale	*Berardius bairdii*	Alaska	-, -, N	N/A (N/A, N/A, N/A) [8]	N/A	0
Stejneger's beaked whale	*Mesoplodon stejnegeri*	Alaska	-, -, N	N/A (N/A, N/A, N/A) [8]	N/A	0
Family Delphinidae:						
Killer whale	*Orcinus orca*	ENP Alaska Resident Stock	-, -, N	1,920 (N/A, 1,920, 2019)	19	1.3
		ENP Gulf of Alaska, Aleutian Islands, and Bering Sea.	-, -, N	587 (N/A, 587, 2012)	5.9	0.8
Family Phocoenidae (porpoises):						
Dall's porpoise	*Phocoenoides dalli*	Alaska	-, -, N	UND (UND, UND, 2015) [9]	UND	37
Harbor porpoise	*Phocoena phocoena*	Bering Sea	-, -, N	UNK (UNK, N/A, 2008) [10]	UND	1.8

TABLE 1—SPECIES LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES—Continued

Common name	Scientific name	Stock	ESA/ MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Order Carnivora—Pinnipedia						
Family Otariidae (eared seals and sea lions):						
Northern fur seal	*Callorhinus ursinus*	Eastern Pacific	-, D, Y	612,765 (0.2, 518,651, 2022)	11,151	296
Steller sea lion	*Eumetopias jubatus*	Western, U.S.	E, D, Y	49,837 (N/A, 49,837, 2022) [11]	299	267
Family Phocidae (earless seals):						
Harbor seal	*Phoca vitulina*	Aleutian Islands	-, -, N	5,588 (N/A, 5,366, 2018)	97	90

[1] 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.

[2] NMFS marine mammal stock assessment reports online at: *https://www.nmfs.noaa.gov/pr/sars.* CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance. In some cases, CV is not applicable.

[3] These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (*e.g.,* commercial fisheries, vessel 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.

[4] The best available abundance estimate for this stock is not considered representative of the entire stock as surveys were limited to a small portion of the stock's range. Based upon this estimate and the N_{min}, the PBR value is likely negatively biased for the entire stock.

[5] Abundance estimates are based upon data collected more than 8 years ago and therefore current estimates are considered unknown.

[6] Reliable population estimates are not available for this stock. Please see Friday *et al.* (2013) and Zerbini *et al.* (2006) for additional information on numbers of minke whales in Alaska.

[7] The most recent abundance estimate is likely unreliable as it covered a small area that may not have included females and juveniles, and did not account for animals missed on the trackline. The calculated PBR is not a reliable index for the stock as it is based upon negatively biased minimum abundance estimate.

[8] Reliable abundance estimates for this stock are currently unavailable.

[9] The best available abundance estimate is likely an underestimate for the entire stock because it is based upon a survey that covered only a small portion of the stock's range.

[10] The best available abundance estimate and N_{min} are likely an underestimate for the entire stock because it is based upon a survey that covered only a small portion of the stock's range. PBR for this stock is undetermined due to this estimate being older than 8 years.

[11] N_{est} is best estimate of counts, which have not been corrected for animals at sea during abundance surveys. Estimates provided are for the U.S. only. The overall N_{min} is 73,211 and overall PBR is 439.

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.*). Subsequently, NMFS (2018, 2024) described generalized hearing ranges for these marine mammal hearing groups. Generalized hearing ranges were chosen based on the approximately 65-decibel (dB) threshold from the normalized composite audiograms, with the exception for lower limits for low-frequency cetaceans where the lower bound was deemed to be biologically implausible and the lower bound from Southall *et al.* (2007) retained. Note that since the issuance of the 2024 IHA, NMFS' 2024 Technical Guidance was finalized and has been incorporated into this analysis. The renamed marine mammal hearing groups that have been incorporated into this 2025 IHA are presented in table 2. The references, analysis, and methodology used in the development of the thresholds are described in the 2024 Technical Guidance, which may be accessed at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance.*

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, *Kogia,* river dolphins, Cephalorhynchid, *Lagenorhynchus cruciger* & *L. australis*).	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. Hz = Hertz. kHz = kilohertz.

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

Potential Effects on Marine Mammals and Their Habitat

The effects of underwater noise from USAF's construction activities have the potential to result in the harassment of marine mammals in the vicinity of the project area. The notice of proposed 2024 IHA (88 FR 74451, October 31, 2024) included a discussion of the effects of anthropogenic noise on marine mammals and the potential effects of underwater noise from USAF's construction on marine mammals and their habitat. That information and analysis is not repeated here; please refer to the notice of proposed 2024 IHA (88 FR 74451, October 31, 2024).

Estimated Take

A detailed description of the methods and inputs used to estimate authorized take is found in these previous documents. The methods of estimating take by Level B harassment for the 2025 IHA are identical to those used in the 2024 IHA. The source levels and days of operation remain unchanged from the previously issued IHA. Data reported in the marine mammal monitoring report suggest a greater occurrence of harbor seal than estimated for the 2024 IHA. To account for the revised isopleths, mitigation zones, and marine mammal occurrence information, take by Level A and Level B harassment has been revised for six species.

Level A harassment—NMFS' 2024 Technical Guidance (NMFS, 2024) identifies dual criteria to assess auditory injury (Level A harassment) to five different marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). Between the issuance of the 2024 IHA and this 2025 IHA, NMFS' 2024 Technical Guidance was updated and has been incorporated into this analysis. USAF's activity includes the use of impulsive (impact pile driving and down-the-hole drilling (DTH)) and non-impulsive (continuous pile driving and DTH) sources.

The updated thresholds, which identify the onset of AUD INJ based on the 2024 Technical Guidance, have been incorporated in this IHA are presented in table 3. The references, analysis, and methodology used in the development of the thresholds are described in the 2024 Technical Guidance, which may be accessed at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance*. NMFS defines AUD INJ as ''damage to the inner ear that can result in destruction of tissue. . .which may or may not result in PTS'' (NMFS 2024). NMFS defined PTS as a permanent, irreversible increase in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2024).

TABLE 3—THRESHOLDS IDENTIFYING THE ONSET OF AUDITORY INJURY BASED ON 2024 TECHNICAL GUIDANCE

Hearing group	AUD INJ onset thresholds * (received level)	
	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	*Cell 1:* $L_{p,0\text{-pk,flat}}$: 222 dB; $L_{E,p,LF,24h}$: 183 dB	*Cell 2:* $L_{E,p,LF,24h}$: 197 dB.
High-Frequency (HF) Cetaceans	*Cell 3:* $L_{p,0\text{-pk,flat}}$: 230 dB; $L_{E,p,HF,24h}$: 193 dB	*Cell 4:* $L_{E,p,HF,24h}$: 201 dB.
Very High-Frequency (VHF) Cetaceans	*Cell 5:* $L_{p,0\text{-pk,flat}}$: 202 dB; $L_{E,p,VHF,24h}$: 159 dB	*Cell 6:* $L_{E,p,VHF,24h}$: 181 dB.
Phocid Pinnipeds (PW) (Underwater)	*Cell 7:* $L_{p,0\text{-pk,flat}}$: 223 dB; $L_{E,p,PW,24h}$: 183 dB	*Cell 8:* $L_{E,p,PW,24h}$: 195 dB.
Otariid Pinnipeds (OW) (Underwater)	*Cell 9:* $L_{p,0\text{-pk,flat}}$: 230 dB; $L_{E,p,OW,24h}$: 185 dB	*Cell 10:* $L_{E,p,OW,24h}$: 199 dB.

* Dual metric thresholds for impulsive sounds: Use whichever results in the largest isopleth for calculating AUD INJ onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level thresholds associated with impulsive sounds, these thresholds are recommended for consideration.

Note: Peak sound pressure level ($L_{p,0\text{-pk}}$) has a reference value of 1 micropascal (µPa), and weighted cumulative sound exposure level ($L_{E,p}$) has a reference value of $1\mu Pa^2s$. In this table, thresholds are abbreviated to be more reflective of International Organization for Standardization standards (ISO 2017). The subscript ''flat'' is being included to indicate peak sound pressure are flat weighted or unweighted within the generalized hearing range of marine mammals [*i.e.,* 7 Hz to 165 kHz]. The subscript associated with cumulative sound exposure level thresholds 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 thresholds 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 thresholds 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 sound field in the project area is the existing background noise plus additional construction noise from the planned project. Marine mammals are expected to be affected via sound generated by the primary components of the project (*i.e.,* pile driving and removal).

The project includes vibratory pile installation and removal, impact pile driving, and DTH. Source levels for these activities are based on reviews of measurements of the same or similar types and dimensions of piles available in the literature. Source levels for each pile size and activity each year are presented in table 4. Source levels for vibratory installation and removal of piles of the same diameter are assumed to be the same.

TABLE 4—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS * GENERATED DURING VIBRATORY, IMPACT, AND DTH PILE INSTALLATION AND VIBRATORY PILE REMOVAL AT 10 m

Pile driving method	Pile type	Pile size	dB RMS	dBPeak	dBSEL	Reference
Vibratory Installation and Removal	Temporary steel pipe pile	30	166	N/A	N/A	NMFS 2023 Analysis.
	Round interlocking steel pipe pile	42	168.2	N/A	N/A	Port of Anchorage Test Pile Program (table 16 in Austen *et al.,* 2016).
Impact Installation	Temporary steel pipe pile	30	191	212	171	Caltrans, 2020.
	Round interlocking steel pipe pile	42	192	213	179	Caltrans, 2020.

TABLE 4—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS * GENERATED DURING VIBRATORY, IMPACT, AND DTH PILE INSTALLATION AND VIBRATORY PILE REMOVAL AT 10 m—Continued

Pile driving method	Pile type	Pile size	dB RMS	dBPeak	dBSEL	Reference
Down-the-Hole Installation	Temporary steel pipe pile	30	174	** 194	** 164	Reyff & Heyvaert 2019, Reyff, 2020, Denes *et al.,* 2019.
	Round interlocking steel pipe pile	42	174	** 194	** 164	Reyff & Heyvaert 2019, Reyff, 2020, Denes *et al.,* 2019.

Note: dB peak = peak sound level; rms = root mean square; SEL = sound exposure level.
* All sound levels are referenced at 10 m.
** A typographical error has been corrected in which the sound levels listed for DTH activities (dB Peak and dB SEL) were incorrectly listed in the other's respective column.

TL is the decrease in acoustic intensity as an acoustic pressure wave propagates out from a source. *TL* parameters vary with frequency, temperature, sea conditions, current, source and receiver depth, water depth, water chemistry, and bottom composition and topography. The general formula for underwater *TL* is:

$TL = B \times \mathrm{Log10}\ (R_1/R_2)$,

where:

TL = transmission loss in dB
B = transmission loss coefficient
R_1 = the distance of the modeled SPL from the driven pile, and
R_2 = the distance from the driven pile of the initial measurement

Absent site-specific acoustical monitoring with differing measured *TL,* a practical spreading value of 15 is used as the *TL* coefficient in the above formula. Site-specific *TL* data for Alcan Harbor are not available; therefore, the default coefficient of 15 is used to determine the distances to the Level A harassment and Level B harassment thresholds.

The ensonified area associated with Level A harassment is more technically challenging to predict due to the need to account for a duration component. Therefore, NMFS developed an optional User Spreadsheet tool to accompany the 2024 Technical Guidance that can be used to relatively simply predict an isopleth distance for use in conjunction with marine mammal density or occurrence to help predict potential takes. We note that because of some of the assumptions included in the methods underlying this optional tool, we anticipate that the resulting isopleth estimates are typically going to be overestimates of some degree, which may result in an overestimate of potential take by Level A harassment. However, this optional tool offers the best way to estimate isopleth distances when more sophisticated modeling methods are not available or practical. For stationary sources such as pile driving, the optional User Spreadsheet tool predicts the distance at which, if a marine mammal remained at that distance for the duration of the activity, it would be expected to incur AUD INJ, which includes, but is not limited to, PTS. Inputs used in the optional User Spreadsheet tool are identical to those analyzed under the 2024 IHA. Table 5 provides the calculated Level A harassment isopleths that are based the 2024 Technical Guidance that are incorporated into this analysis compared with the calculated Level A harassment isopleths that were based on the 2018 Technical Guidance and presented in the proposed FRN for the 2024 IHA (88 FR 74451, October 31, 2023).

There were no substantive changes to Level A harassment isopleths for low frequency cetaceans (they increased slightly during vibratory activities and decreased slightly during impact pile driving). However, for high-frequency cetaceans (categorized as mid-frequency cetaceans prior to application of the 2024 Technical Guidance), phocids, and otariids, Level A harassment isopleths increased substantially during all pile driving activities. Additionally, for very high frequency cetaceans (categorized as high frequency cetaceans prior to application of the 2024 Technical Guidance), Level A harassment isopleths decreased slightly during vibratory activities and substantially during impact pile driving.

TABLE 5—LEVEL A HARASSMENT AND LEVEL B HARASSMENT ISOPLETHS AND ASSOCIATED AREAS FROM VIBRATORY AND IMPACT PILE DRIVING, VIBRATORY REMOVAL, AND DTH DRILLING USING THE 2024 TECHNICAL GUIDANCE

[Level A harassment isopleths based on 2018 guidance, used in the 2024 IHA analysis, are presented in parentheses]

Pile size/type	Level A harassment isopleths (m)					Level B harassment isopleth (m)
	LF	HF [1]	VHF [2]	PW	OW	
Vibratory						
42-inch Interlocking Steel	44.2 (32.7)	17.0 (2.9)	36.1 (48.4)	56.9 (19.9)	19.2 (1.4)	16,343
30-inch Steel Pipe	19.9 (14.7)	7.6 (1.3)	16.2 (21.8)	25.6 (8.9)	8.6 (0.6)	11,659
DTH						
42-inch Interlocking Steel	2,540 (2,549.4)	324.1 (90.7)	3,930.8 (3,036.7)	2,256.5 (1,364.3)	841.1 (99.3)	39,811
30-inch Steel Pipe	2,249.4 (2,257.6)	287.0 (80.3)	3,480.9 (2,689.2)	1,998.2 (1,208.2)	744.9 (88)	39,811
Impact						
42-inch Interlocking Steel	2007.8 (2.015.1)	256.2 (71.7)	3,107.0 (2,400.3)	1,783.6 (1,078.4)	664.9 (78.5)	1,359
30-inch Steel Pipe	930.4 (933.8)	118.7 (33.2)	1,439.9 (1,112.3)	826.6 (499.7)	308.1 (36.4)	1,166

[1] Species that were considered Mid-Frequency cetaceans under the NMFS 2018 Technical Guidance are now considered High Frequency cetaceans.
[2] Species that were considered High-Frequency cetaceans under the NMFS 2018 Technical Guidance are now considered Very High Frequency cetaceans.

Except for harbor seal, the same occurrence assumptions that were used to estimate take for the 2024 IHA and described in the associated proposed FRN (88 FR 74451, October 31, 2024) are applied here, as is the same duration information. In cases where site specific marine mammal monitoring data are available, marine mammal occurrence assumptions and pile driving durations are based on hourly estimates. In cases where no marine mammal observations were reported, marine mammal occurrence assumptions and pile driving durations are based on daily estimates.

During monitoring completed in 2024, 29 harbor seal and 6 Steller sea lion were observed in the project area (at a rate of 0.45 and 0.09 groups of one of each species per hour, respectively). A total of six harbor seal and two Steller sea lion were reported within the Level B harassment zone while construction activities were underway. This suggests a revision to harbor seal occurrence estimates is appropriate; 0.45 harbor seals per hour were reported during 2024 activities rather than the previously estimated 0.14 harbor seal per hour used in the analysis for the 2024 IHA.

The equation used to estimate take by Level B harassment for all species is:

Exposure Estimate = marine mammal occurrence × duration of pile driving

During all vibratory pile driving activities for all hearing groups, and during all other activities for high frequency cetaceans (categorized as mid-frequency cetaceans in the 2024 IHA and prior to the application of the 2024 Technical Guidance) USAF will implement shutdown zones equivalent to the estimated Level A harassment isopleths. For all other hearing groups, during DTH and impact pile driving, shutdown zones are established at the distance that these species are assumed to be able to be reliably observed under typical conditions at the location (1000 meters (m) for LF, 500 m for VHF, previously categorized as HF in the 2024 IHA and prior to the application of the 2024 Technical Guidance; and 400 m for pinnipeds).

To calculate estimated take by Level A harassment in cases where the Level A harassment isopleth is larger than the Level B harassment isopleth, the same equation to estimate take by Level B harassment is applied. Exposure estimates for those activities are attributed to take by Level A harassment.

To calculate estimated take by Level A harassment in cases where the Level A harassment isopleth is larger than the planned shutdown zone, but smaller than the Level B harassment isopleth, we proportionally compared, by hearing group, the portion of the largest Level A harassment area (square kilometers (km^2)) that exceeds the planned shutdown zone area (km^2) to the area (km^2) (referred to as the Level A harassment impact area) of the largest Level B harassment isopleth across that pile type (typically from vibratory pile driving). This ratio was then multiplied by the total estimated marine mammal exposures:

Take by Level A harassment = Level A harassment impact area (km^2)/Level B harassment area (km^2) × total marine mammal exposures.

Monitoring data collected during work at the project site indicate that all Steller sea lion were observed within 200 m of the project site, and harbor seal were observed between 50 m and 500 m in 2021 and 85 and 600 m in 2024. As such, for harbor seal and Steller sea lion, NMFS determined that the methods above could underestimate potential take by Level A harassment. NMFS accordingly estimated additional takes by Level A harassment by determining the ratio of each species that were observed beyond the shutdown zone compared to the number of individuals that were observed closer to construction activities during the EAS fuel pier emergency repair completed in 2021 and 2024, and multiplying this ratio by the total exposures.

Note that in the 2024 IHA, an additional approach to estimate take by Level A harassment was employed to account for cases in which a shutdown zone was established at the Level A harassment isopleth, but a portion of the shutdown zone was not expected to be reliably observable. Since the shutdown zones for low frequency cetaceans have been reduced to address practicability concerns, this scenario is no longer applicable and as such, that approach is not summarized here or applied to take estimates for any hearing group.

Fin Whale

One group of eight fin whale is predicted every 2 construction months (60 days). The duration of the construction is 160 days (2.65 is the basic 60 day period that corresponds to 2 construction months). This results in 21 takes by Level B harassment of fin whale (8 fin whale × 2.65 2-month periods).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 0.084 based on (5.8 km^2/1,285.9 km^2) × 21 fin whale exposures = 0.084 takes by Level A harassment. During impact pile driving of 42-inch piles, the Level A harassment isopleth is larger than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 6.88 based on 8 fin whale × 0.86 months of 42-inch impact pile driving.

Takes by Level B harassment were modified to deduct the amount of take by Level A harassment (*i.e.,* 21 − 6.88 − 0.084 = 14). Therefore, NMFS authorizes 7 takes by Level A harassment and 14 takes by Level B harassment for fin whale, for a total of 21 takes.

Humpback Whale

A total of 0.07 groups of two humpback whale are predicted every construction hour. The duration of the construction hours is 1,101. This results in 154 takes by Level B harassment of humpback whale (0.07 groups × 2 humpback whale × 1,101 hours).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 0.616 based on (5.8 km^2/1,285.9 km^2) × 154 exposures = 0.616 takes by Level A harassment. During impact pile driving of 42-inch piles, the Level A harassment isopleth is larger than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 21.84 based on 0.07 humpback whales × 2 groups × 156 hours.

Takes by Level B harassment were modified to deduct the amount of take by Level A harassment (*i.e.,* 154 − 21.84 − 0.616 = 131). Therefore, NMFS authorizes 23 takes by Level A harassment for humpback whale and 131 takes by Level B harassment for humpback whale, for a total of 22 takes.

Minke Whale

One group of three minke whale is predicted every 2 construction months (60 days). The duration of the construction is 160 days (2.65 is the basic 60 day period that corresponds to 2 construction months). This results in eight takes by Level B harassment of minke whale (3 minke whale × 2.65 2-month periods).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these

activities results in 0.032 based on (5.8 km^2/1,285.9 km^2) × 8 minke whale exposures = 0.032 takes by Level A harassment. During impact pile driving of 42-inch piles, the Level A harassment zone is larger than the Level B harassment zone. Estimated take by Level A harassment for these activities results in 2.58 minke whale based on 3 minke whale × 0.86 months of 42-inch impact pile driving. Takes by Level B harassment were modified to deduct the amount of take by Level A harassment (*i.e.,* 8 − 2.58 − 0.032 = 5). Therefore, NMFS authorizes three takes by Level A harassment and five takes by Level B harassment for minke whale, for a total of eight takes.

Sperm Whale

Two groups of four sperm whale is predicted every 1 construction month. The duration of the construction is 5 months. This results in 40 takes by Level B harassment of sperm whale (2 groups × 4 sperm whale × 5 construction months).

Takes by Level A harassment for sperm whales are not anticipated nor are they authorized.

Baird's Beaked Whale

One group of 10 Baird's beaked whales is predicted across the project, which is based on this species being shy and preferring deep waters and as such the applicant predicted they would be very rare in the project area. Therefore, NMFS authorizes 10 takes of Baird's beaked whale by Level B harassment.

Takes by Level A harassment for Baird's beaked whale were not anticipated nor are they authorized.

Stejneger's Beaked Whale

One group of eight Stejneger's beaked whales is predicted across the project, which is based on this species being shy and preferring deep waters and as such the applicant predicted they would be very rare in the project area. Therefore, NMFS authorizes eight takes of Stejneger's beaked whale by Level B harassment.

Takes by Level A harassment for Stejneger's beaked whale were not anticipated nor are they authorized.

Killer Whale

A total of 0.02 groups of 8 killer whale is predicted every construction hour. The duration of the construction hours is 1,101. This results in 176 takes by Level B harassment of killer whale (0.02 groups × 8 killer whale × 1,101 hours).

Takes by Level A harassment for killer whale were not anticipated nor are they authorized.

Dall's Porpoise

One group of 15 Dall's porpoise is predicted every 2 construction months (60 days). The duration of the construction is 160 days (2.65 × the basic 60 day period that corresponds to 2 construction months). This results in 15 takes by Level B harassment of Dall's porpoise (15 Dall's porpoise × 2.65 2-month periods = 39 takes by Level B harassment).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 0.48 takes based on (15.62 km^2/1,285.9 km^2) × 40 exposures = 0.48. During all impact pile driving, the Level A harassment isopleth is larger than the Level B harassment isopleth. Estimated take by Level A harassment for these activities result in 18.4 based on 1 group × 15 Dall's porpoise × 0.86 months of 42-inch impact pile driving and 1 group × 15 Dall's porpoise × 0.37 months of 30-inch impact pile driving (12.9 + 5.5 = 18.4 takes by Level A harassment).

Takes by Level B harassment were modified to deduct the authorized amount of take by Level A harassment (*i.e.,* 39 − 18.4 − 0.48 = 20). Therefore, NMFS authorizes 19 takes by Level A harassment and 20 takes by Level B harassment for Dall's porpoise, for a total of 39 takes.

Harbor Porpoise

One group of three harbor porpoise is predicted every 1 construction month. The duration of the construction is 5 months. This results in 15 takes by Level B harassment of harbor porpoise (1 group × 3 harbor porpoise × 5 months).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment during these activities results in 0.18 based on (15.6 km^2/1,285.9 km^2) × 15 harbor porpoise exposures. During all impact pile driving activities, the Level A harassment isopleth is larger than the Level B harassment isopleth. This results in 8.8 takes by Level A harassment based on 1 group × 3 harbor porpoise × 0.17 months of 42-inch impact pile driving and 1 group × 3 harbor porpoise × 0.73 months of 30-inch impact pile driving (*i.e.,* 5.1 + 3.73 = 8.83).

Takes by Level B harassment were modified to deduct the authorized amount of take by Level A harassment (*i.e.,* 15 − 8.83 − 0.18 = 6). Therefore, NMFS authorizes 6 takes by Level A harassment and 9 takes by Level B harassment for harbor porpoise, for a total of 15 takes.

Northern Fur Seal

To account for the unlikely but small possibility that northern fur seals could occur in the project area NMFS estimates that one group of one northern fur seal could occur in the project area each construction month either in the Level B or Level A harassment isopleth. As such, NMFS authorizes a maximum total of five takes of northern fur seal by either Level B or Level A harassment.

Steller Sea Lion

A total of 0.09 groups of one Steller sea lion is predicted every construction hour. The duration of the construction is 1,101 hours. This results in 99 takes by Level B harassment of Steller sea lion (0.09 Steller sea lion × 1 group × 1,101 hours = 99 takes by Level B harassment).

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 0.0007 based on (0.91 km^2/1,285.9 km^2) × 154 exposures.

Monitoring data collected during work completed at the project site in 2021 and 2024 indicate that Steller sea lion occasionally occur within the project area, within 200 m from shore; on 6 days in 2021, 7 Steller sea lion were observed between 25 m and 175 m from the project site. On 3 days in 2024, 6 Steller sea lion were observed between 100 and 200 m of the project site. Because Steller sea lion typically inhabit areas closer to shore rather than distances represented by the largest level B harassment isopleth (39,811 m), NMFS determined that the method above could underestimate potential take by Level A harassment. NMFS accordingly estimated additional takes by Level A harassment by determining the ratio of Steller sea lion that were observed beyond the shutdown zone isopleth compared to the Steller sea lion that were observed closer to construction activities during the EAS fuel pier emergency repair that was completed in 2021 and EAS fuel pier repair activities completed in 2024. However, all Steller sea lion reported by PSOs during that project were reported within the established shutdown zone (n = 13). To be conservative, NMFS assumes that a small proportion (10 percent) of Steller sea lion predicted to occur within the project area during construction could occur outside of the shutdown zone. As such, NMFS

predicts that 10 Steller sea lion (99 total exposures × 0.1 = 9.9 takes by Level A harassment).

Takes by Level B harassment were modified to deduct the authorized amount of take by Level A harassment (*i.e.,* 99 − 10 = 89 takes by Level B harassment). Therefore, NMFS authorizes 10 takes by Level A harassment and 89 takes by Level B harassment for Steller sea lion, for a total of 154 takes.

Harbor Seal

A total of 0.45 groups of one harbor seal is predicted every construction hour. This is increased from the predicted 0.14 groups of one harbor seal every construction hour used in the 2024 IHA due to application of the most recent monitoring data. The duration of the construction hours is 1,101. This results in 495 takes by Level B harassment of harbor seal based on 0.45 harbor seal × 1 group × 1,101 hours.

During DTH activities, the Level A harassment isopleth is larger than the shutdown zone, but smaller than the Level B harassment isopleth. Estimated take by Level A harassment for these activities results in 2.0 based on (4.8 km^2/1,285.9 km^2) × 495 exposures.

Because harbor seals typically inhabit areas closer to shore rather than distances represented by the largest Level B harassment zone (39,811 m), NMFS determined that the method above could underestimate potential take by Level A harassment. NMFS accordingly estimated additional takes by Level A harassment by determining the ratio of harbor seals that were observed beyond the shutdown zone isopleth compared to the harbor seals that were observed closer to construction activities during the EAS fuel pier emergency repair that was completed in 2021 and EAS fuel pier repair activities completed in 2024 (*i.e.,* 14/67 = 0.21 harbor seals). We then multiplied this ratio by the total number of estimated harbor seal exposures to determine take by Level A harassment (*i.e.,* 0.21 × 495 exposures = 104) for a total of 146 takes by Level A harassment (2.0 + 104 = 106).

Additionally, during impact pile driving of 42-inch piles, the Level A harassment isopleth is larger than the Level B harassment isopleth. Estimated take by Level A harassment during these activities results in 70.2 based on 0.45 harbor seal × 1 group × 156 hours.

Takes by Level B harassment were modified to deduct the authorized amount of take by Level A harassment (*i.e.,* 495 − 106 − 70 = 319 takes by Level B harassment).

Therefore, NMFS authorizes 176 takes by Level A harassment and 319 takes by Level B harassment for harbor seal, for a total of 495 takes.

See table 6 for all authorized take numbers, by species, and the respective amount of the population that take represents.

TABLE 6—AUTHORIZED TAKE BY STOCK AND HARASSMENT TYPE AND AS A PERCENTAGE OF STOCK ABUNDANCE

Species	Stock	Authorized take		Authorized take as a percentage of stock abundance
		Level B harassment	Level A harassment	
Fin whale	Northeast Pacific	14	7	<1
Humpback whale	Western North Pacific	3	1	<1
	Mexico—North Pacific	10	2	1.3
	Hawai'i	118	20	<1
Minke whale	Alaska	5	3	<1
Sperm whale	North Pacific	40	0	16.2
Baird's beaked whale	Alaska	10	0	(*)
Stejneger's beaked whale	Alaska	8	0	(*)
Killer whale	ENP Alaska Resident	176	0	9.1
	ENP Gulf of Alaska, Aleutian Islands, and Bering Sea.	.....	.....	30
Dall's porpoise	Alaska	21	19	<1
Harbor porpoise	Bering Sea	9	6	<1
Northern fur seal	Eastern Pacific	5	.....	<1
Steller sea lion	Western, U.S	89	10	<1
Harbor seal	Aleutian Islands	319	176	9.0

* Reliable abundance estimates for these stocks are currently unavailable.

Description of Mitigation, Monitoring and Reporting Measures

The mitigation, monitoring, and reporting measures are nearly identical to those included in the **Federal Register** notice announcing the final 2024 IHA (89 FR 17423, May 15, 2024), and the discussion of the least practicable adverse impact included in that document remains accurate. The only change is to the size of the shutdown zones, which have been revised in accordance with the updated Level A harassment isopleths calculated using the 2024 Technical Guidance. Additionally, shutdown zones for low-frequency cetaceans are decreased to 1000 m from 2,100–2,600 m during impact and DTH activities to address issues with observability. During 2024 activities, USAF reported that PSO's were unable to reliably observe for LF cetaceans at the Level A harassment isopleth due to excessively foggy conditions. The measures included in this authorization are found below.

Establishment of Shutdown Zone—For all pile driving/removal and DTH activities, USAF will implement shutdowns within designated zones. The purpose of a shutdown zone is generally to define an area within which shutdown of the activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). Shutdown zones vary based on the activity type and marine mammal hearing group (table 7). In most cases, the shutdown zones are based on the estimated Level A harassment isopleth distances for each hearing group. However, in cases where it would be challenging to detect marine mammals at the Level A harassment isopleth, smaller shutdown zones have been established (table 7). Additionally, per the 2024 IHA, the USAF will implement a minimum shutdown zone of 25 m during all pile driving and removal activities and DTH.

Construction supervisors and crews, PSOs, and relevant USAF staff must avoid direct physical interaction with

marine mammals during construction activity. If a marine mammal comes within 10 m of such activity, operations must cease and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions, as necessary to avoid direct physical interaction. 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 7, or 15 minutes have passed for delphinids or pinnipeds, or 30 minutes for all other species 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.

TABLE 7—SHUTDOWN ZONES

Activity	Pile diameter	Shutdown zones				
		LF	HF	VHF	PW	OW
Vibratory Installation and Removal	42-in	50	50	50	60	50
	30-in	25	25	25	30	25
DTH	42-in	1,000	350	500	400	400
	30-in		290			
Impact	42-in		260			
	30-in		120			

Protected Species Observers (PSOs)—The number and placement of PSOs during all construction activities (described in the Visual Marine Mammal Observation section) will ensure that the entire shutdown zone is visible. USAF will employ at least two PSOs for all pile driving and DTH activities.

Monitoring for Level B Harassment—PSOs will monitor the shutdown zones and beyond to the extent that PSOs can see. Monitoring beyond the shutdown zones enables 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. If a marine mammal enters the Level B harassment zone, PSOs will document the marine mammal's presence and behavior.

Pre and Post-Activity Monitoring—Prior to the start of daily in-water construction activity, or whenever a break in pile driving of 30 minutes or longer occurs, PSOs will observe the shutdown, Level A harassment, and Level B harassment for a period of 30 minutes. Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead PSO to determine that the shutdown zones are clear of marine mammals. If the shutdown zone is obscured by fog or poor lighting conditions, in-water construction activity will not be initiated until the entire shutdown zone is visible. Pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals. If a marine mammal is observed entering or within shutdown zones, pile driving activity must be delayed or halted. If pile driving 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 or 15 minutes have passed for delphinids or pinnipeds or 30 minutes have passed for all other species without re-detection of the animal. If a marine mammal for which Level B harassment take is authorized is present in the Level B harassment zone, activities would begin and Level B harassment take would be recorded.

Soft Start—The use of soft-start procedures are believed to provide additional protection to marine mammals by providing warning and/or giving marine mammals a chance to leave the area prior to the hammer operating at full capacity. For impact pile driving, contractors are required to provide an initial set of three strikes from the hammer at reduced energy, with each strike followed by a 30-second waiting period. This procedure will be conducted a total of three times before impact pile driving begins. Soft start will 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. Soft start is not required during vibratory pile driving and removal activities.

Visual Marine Mammal Observation—Monitoring must be conducted by qualified marine mammal observers (MMOs), who are trained biologists, with minimum qualifications described in the **Federal Register** notice of the issuance of the 2024 IHA (89 FR 17423, March 11, 2024). In order to effectively monitor the pile driving monitoring zones, two trained PSOs must be positioned at the best practical vantage point(s) as described in the **Federal Register** notice of the issuance of the 2024 IHA. PSOs shall record specific information on the sighting forms as described in the **Federal Register** notice of the issuance of the 2024 IHA. At the conclusion of the in-water construction work, USAF will provide NMFS with a monitoring report that includes information described in the 2024 IHA **Federal Register** Notice.

Determinations

USAF plans to conduct activities nearly identical to those covered in the previous 2024 IHA. We have revised the Level A harassment and mitigation zones to incorporate and address the 2024 Technical Guidance, which results in different Level A harassment isopleths.

When issuing the 2024 IHA, NMFS found the EAS Fuel Pier repair project, in its entirety, would have a negligible impact to species or stocks' rates of recruitment and survival and the amount of taking would be small relative to the population size of such species or stock (less than 3 percent for all stocks except sperm whale, killer whale, and harbor seal, which are less than 30 percent). As described above, the total number of authorized takes for each stock are the same as the takes authorized in the 2024. In cases where take by Level A harassment has increased, it has only increased a small amount (take by Level A harassment has increased by 4 for fin whale, by 6 for Dall's porpoise, by 1 for harbor porpoise, and by 21 by harbor seal. While no take by Level A harassment was authorized under the 2024 IHA for

Steller sea lion and northern fur seal, only a small amount is authorized through this IHA. The anticipated impacts from the project are similar to those previously analyzed. The IHA includes the same monitoring, and reporting measures as the 2024 IHA and the shutdown zones have been revised to address the new Level A harassment isopleths calculated from the 2024 technical guidance. In conclusion, there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will affect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) USAF's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action, and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act (ESA)

There are four marine mammal species (western Distinct Population Segment (DPS) Steller sea lion, fin whale (northeast Pacific), humpback whale (Mexico—North Pacific and western North Pacific), and sperm whale (North Pacific)) with confirmed occurrence in the project area that are listed as endangered under the ESA. The NMFS Alaska Regional Office issued a Biological Opinion under Section 7 of the ESA on the issuance of an IHA to USAF under section 101(a)(5)(D) of the MMPA by NMFS Office of Protected Resources. The Biological Opinion concluded that the action is not likely to jeopardize the continued existence of the listed species and is not likely to destroy or adversely modify critical habitat.

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 USAF for the potential harassment of small numbers of 12 marine mammal species incidental to conducting the EAS Fuel Pier Repair in Alcan Harbor on Shemya Island, Alaska that includes the previously explained mitigation, monitoring, and reporting requirements.

Dated: April 22, 2025.

Catherine Marzin,

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

[FR Doc. 2025–07168 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE430]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Year 1 of the U.S. Navy Maintenance and Pile Replacement Project in Puget Sound, Washington

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: NMFS has received a request from the United States Navy for the re-issuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of 10 species of marine mammals, by Level A and Level B harassment, incidental to construction associated with the Navy's Naval Facilities Engineering Command Northwest (NAVFAC) Northwest Marine Structure Program (MPR) project in Puget Sound, Washington. The project has been delayed and none of the work covered in the initial IHA has been conducted. The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

DATES: This authorization is effective from July 1, 2025 through June 30, 2026. The initial IHA was effective from July 1, 2024 through June 30, 2025. The Navy has requested re-issuance with new effective dates of July 1, 2025 through June 30, 2026.

ADDRESSES: An electronic copy of the final 2024 IHA previously issued to the Navy, the Navy's application, and the **Federal Register** notices proposing and issuing the initial IHA may be obtained by visiting *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities.* In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Kate Fleming, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(D) of the Marine Mammal Protection Act (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 issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined ''negligible impact'' in 50 CFR 216.103 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.

The MMPA states that the term ''take'' means to harass, hunt, capture, kill or

attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, 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).

Summary of Request

On June 3, 2024, NMFS published final notice of our issuance of two consecutive 1-year IHAs authorizing take of marine mammals incidental to the Navy NW MPR project in Puget Sound, Washington (89 FR 47539). The effective dates of the Year 1 IHA were July 1, 2024 through June 30, 2025. On June 25, 2024, the Navy informed NMFS that the Year 1 project was delayed. None of the work identified in the initial IHA (*e.g.,* pile driving and removal) would occur due to a combination of funding and design issues and the need for additional consultation under the U.S. Endangered Species Act. On November 14, 2024, the Navy submitted a request that we reissue an identical IHA that would be effective from July 1, 2025 through June 30, 2026, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. Therefore, re-issuance of the IHA is appropriate.

Summary of Specified Activity and Anticipated Impacts

The planned activities (including mitigation, monitoring, and reporting), authorized incidental take, and anticipated impacts on the affected stocks are the same as those analyzed and authorized through the previously issued IHA.

The purpose of the Navy's construction project is to maintain existing wharfs and piers that are needed to ensure continuance of necessary missions at three naval installations in Puget Sound, Washington. The location, timing, and nature of the activities, including the types of equipment planned for use, are within scope of those described in the initial IHA. The mitigation and monitoring are also as prescribed in the initial IHA.

Species that are expected to be taken by the planned activity include gray whale (*Eschrichtius robustus*), humpback whale (*Megaptera novaeangliae*), minke whale (*Balaenoptera acutorostrata*), killer whale (*Orcinus orca*), Dall's porpoise (*Phocoenoides dalli*), harbor porpoise (*Phocoena phocoena*), California sea lion (*Zalophus califonianus*), Steller sea lion (*Eumetopias jubatus*), harbor seal (*Phoca vitulina*), northern elephant seal (*Mirounga angustrirostris*). A description of the methods and inputs used to estimate take anticipated to occur and, ultimately, the take that was authorized is found in the previous documents referenced above. The data inputs and methods of estimating take are identical to those used in the initial IHA. NMFS has reviewed recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and recent scientific literature, and determined that no new information affects our original analysis of impacts or take estimate under the initial IHA.

We refer to the documents related to the previously issued IHA, which include the **Federal Register** notice of the issuance of the initial 2024 IHA for the Navy's construction work (89 FR 47539), the Navy's application, the **Federal Register** notice of the proposed IHA (89 FR 25580), and all associated references and documents.

Determinations

The Navy will conduct activities as analyzed in the initial 2024 IHA. As described above, the number of authorized takes of the same species and stocks of marine mammals are identical to the numbers that were found to meet the negligible impact and small numbers standards and authorized under the initial IHA and no new information has emerged that would change those findings. The re-issued 2025 IHA includes identical required mitigation, monitoring, and reporting measures as the initial IHA, and there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) the Navy's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by 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 with respect to environmental consequences on the human environment.

Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review. This action is consistent with categories of activities identified in CE B4 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.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 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 propose to authorize take for endangered or threatened species, in this case with the West Coast Regional Office (WCRO).

NMFS is authorizing take of southern resident killer whale, as well as two distinct population segments of humpback whale (Central American/Southern Mexico-California-Oregon-Washington and Mainland Mexico-California-Oregon-Washington), which are listed under the ESA.

The NMFS WCRO issued a Biological Opinion under section 7 of the ESA on the issuance of an IHA to the Navy under section 101(a)(5)(D) of the MMPA by NMFS Office of Protected Resources The biological opinion concluded that the action is not likely to jeopardize the continued existence of the listed species. WCRO confirmed that NMFS' current action remains covered by the programmatic Biological Opinion (WCRO–2016–00018) completed for the issuance of regulations preceding the IHA upon which the reissued IHA is based (83 FR 9366, March 5, 2018), and that re-initiation of the consultation is not required.

Authorization

NMFS has issued an IHA to the Navy for in-water construction activities

associated with the specified activity from July 1, 2025 through June 30, 2026. All previously described mitigation, monitoring, and reporting requirements from the initial 2024 IHA are incorporated.

Dated: April 22, 2025.

Catherine Marzin,

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

[FR Doc. 2025–07188 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE862]

Fisheries of the Gulf of America; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 98 Assessment Webinar II for Gulf of America Red Snapper.

SUMMARY: The SEDAR 98 assessment process for Gulf of America red snapper will consist of a Data Workshop, a series of assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 98 Assessment Webinar II will be held May 30, 2025, from 10 a.m. until 1 p.m., Eastern Time.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julie A. Neer at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: *Julie.neer@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NMFS and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars, and (3) A Review Workshop. The product of the Data Workshop is a report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf, South Atlantic, and Caribbean Fishery Management Councils and NMFS Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the Assessment Webinar II are as follows:

Participants will review the data recommendations and the assessment modelling work to date.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

On January 20, 2025, President Trump issued Executive Order 14172 to rename the Gulf of Mexico as the Gulf of America. Any reference to Gulf of America red snapper in SEDAR reports and other documents refers to the same species of red snapper listed in 50 CFR part 622, Appendix A, Table I (Gulf of Mexico Reef Fish).

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: April 22, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–07191 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Agency

[RTID 0648–XE829]

Fisheries of the U.S. Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 84 U.S. Caribbean Yellowtail Snapper and Stoplight Parrotfish Review Workshop.

SUMMARY: The SEDAR 84 assessment process of U.S. Caribbean Yellowtail Snapper and Stoplight Parrotfish will consist of a Data Workshop, a series of assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 84 Review Workshop will be held from 8:30 a.m. EST on July 15, 2025, until 2 p.m. EST July 18, 2025. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES:

Meeting address: The SEDAR 84 Review Workshop will be held at the Embassy Suites by Hilton Fort Lauderdale, 1100 SE 17th Street, Fort Lauderdale, FL 33316.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

The meeting will be livestreamed and registration for the livestream is available by contacting the SEDAR coordinator via email at *Emily.Ott@safmc.net.*

FOR FURTHER INFORMATION CONTACT: Emily L. Ott, SEDAR Coordinator; (937) 479–6171; email: *Emily.Ott@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NMFS and the Atlantic and Gulf

States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data/ Assessment Workshop, and (2) a series of webinars. The product of the Data/ Assessment Workshop is a report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses, and describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. Participants for SEDAR Workshops are appointed by the Gulf, South Atlantic, and Caribbean Fishery Management Councils and NMFS Southeast Regional Office, Highly Migratory Species (HMS) Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion in the SEDAR 84 Review Workshop are as follows:

The stock assessment for U.S. Caribbean Yellowtail Snapper and Stoplight Parrotfish will be reviewed by an independent panel consisting of members from the Center for Independent Experts.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 10 business days prior to the workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: April 22, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–07189 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Evaluation of National Estuarine Research Reserve; Notice of Public Meeting; Request for Comments

AGENCY: Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of public meeting; opportunity to comment.

SUMMARY: The National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management will hold an in-person public meeting to solicit input on the performance evaluation of the Rookery Bay National Estuarine Research Reserve. NOAA also invites the public to submit written comments.

DATES: NOAA will hold an in-person public meeting at 5 p.m. Eastern Time (ET) on Tuesday, June 10, 2025. NOAA may close the meeting 10 minutes after the conclusion of public testimony and after responding to any clarifying questions from meeting participants. NOAA will consider all relevant written comments received by Friday, June 20, 2025.

ADDRESSES: Comments may be submitted by one of the following methods:

- *In-Person Public Meeting:* Provide oral comments during the in-person public meeting on Tuesday, June 10, 2025, at 5 p.m. Eastern Time (ET) at Rookery Bay Environmental Learning Center, 300 Tower Road, Naples, Florida 34113.
- *Email:* Send written comments to Susie Holst Rice, Evaluator, NOAA Office for Coastal Management, at *czma.evaluations@noaa.gov.* Include ''Comments on Performance Evaluation of Rookery Bay Reserve'' in the subject line. NOAA will accept anonymous comments; however, all comments NOAA receives are a part of the public record, and the entirety of the comment, including the name of the commenter, email address, attachments, and other supporting materials, will be publicly accessible. Do not submit confidential business information or otherwise sensitive or personally identifiable information, such as account numbers and Social Security numbers. Comments that are not related to the performance evaluation of the Rookery Bay National Estuarine Research Reserve or that contain profanity, vulgarity, threats, or other inappropriate language will not be considered.

FOR FURTHER INFORMATION CONTACT: Susie Holst Rice, Evaluator, NOAA Office for Coastal Management, by email at *Susie.Holst@noaa.gov* or by phone at (978) 225–3420. Copies of the previous evaluation findings, reserve management plan, and reserve site profile may be viewed and downloaded at *https://coast.noaa.gov/czm/evaluations/.* A copy of the evaluation notification letter and most recent progress report may be obtained upon request by contacting Susie Holst Rice.

SUPPLEMENTARY INFORMATION: Section 315(f) of the Coastal Zone Management Act (CZMA) requires NOAA to conduct periodic evaluations of federally approved national estuarine research reserves. The evaluation process includes holding one or more public meetings, considering public comments, and consulting with interested federal, state, and local agencies and members of the public. During the evaluation, NOAA will consider the extent to which the Florida Department of Environmental Protection has met the national objectives and has adhered to the management plan approved by the Secretary of Commerce, the requirements of section 315 of the CZMA, and the terms of financial assistance under the CZMA. When the evaluation is complete, NOAA's Office for Coastal Management will place a notice in the **Federal Register** announcing the availability of the final evaluation findings.

Authority: 16 U.S.C. 1461.

Keelin Kuipers,

Deputy Director, Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2025–07190 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE840]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's Tilefish Monitoring Committee will hold a public webinar meeting.

DATES: The meeting will be held on Tuesday, May 20, 2025, from 9:30 a.m. until 12 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held via webinar. Connection information, agenda items, and any additional information will be posted at *www.mafmc.org/council-events* prior to the meeting.

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The Tilefish Monitoring Committee will meet via webinar to discuss management measures for both golden and blueline tilefish. The objectives of this meeting are for the Monitoring Committee to: (1) Review recent stock assessment information/data update, fishery performance, and recommendations from the Advisory Panel, Scientific and Statistical Committee, and staff; (2) Recommend commercial and recreational annual catch limits, annual catch targets, and total allowable landing limits/quotas for blueline tilefish for 2026–2028 and review previously set commercial and recreational annual catch limits, annual catch targets, and total allowable landing limits/quotas for golden tilefish for 2026; and (3) set commercial and recreational management measures for blueline tilefish and review commercial and recreational management measures for golden tilefish and recommend changes, if needed.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Shelley Spedden, (302) 526–5251, at least 5 days prior to the meeting date.

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

Dated: April 22, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–07193 Filed 4–24–25; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities and deletes product(s) and service(s) previously furnished by such agencies.

DATES: Comments must be received on or before: May 25, 2025.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, telephone: (703) 489–1322, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

In accordance with 41 CFR 51–5.3(b), the Committee intends to add the services listed below to the Procurement List as a mandatory purchase only for contracting activities at the locations listed, with the proposed qualified nonprofit agency as the authorized source of supply. Prior to adding the service to the Procurement List, the Committee will consider other pertinent information, including information from Government personnel and relevant comments from interested parties regarding the Committee's intent to geographically limit this services requirement.

Service(s)

Service Type: Warehouse Support Service
Mandatory for: U.S. Navy, NAVSUP Fleet Logistics Center Jacksonville, Naval Station Mayport, Mayport, FL
Authorized Source of Supply: Challenge Enterprises of North Florida, Inc., Green Cove Springs, FL
Contracting Activity: DEPT OF THE NAVY, NAVSUP FLT LOG CTR JACKSONVILLE

Service Type: Mailroom Operation
Mandatory for: U.S. Air Force, Official Mail Center, Kirtland Air Force Base, NM

Service Type: Mailroom Operation
Mandatory for: U.S. Air Force, Postal Service Center, Kirtland Air Force Base, NM
Authorized Source of Supply: VersAbility Resources, Inc., Hampton, VA
Contracting Activity: DEPT OF THE AIR FORCE, FA9401 AFNWC PZI

Deletions

The following product(s) and service(s) are proposed for deletion from the Procurement List:

Product(s)

NSN(s)—Product Name(s): 7920–01–215–6568—Cloth, Synthetic Shammy, Assorted Colors, 15″ x 15″
Authorized Source of Supply: Industries for the Blind and Visually Impaired, Inc., West Allis, WI
Contracting Activity: STRATEGIC ACQUISITION CENTER, FREDERICKSBURG, VA
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI, FORT WORTH, TX

NSN(s)—Product Name(s):
9905–01–661–2140—Flag, Marking, 4″ x 5″, 21″ Staff, Yellow
9905–01–661–2150—Flag, Marking, 4″ x 5″, 21″ Staff, Fluorescent Orange
9905–01–661–2151—Flag, Marking, 4″ x 5″, 21″ Staff, Fluorescent Pink
Authorized Source of Supply: West Texas Lighthouse for the Blind, San Angelo, TX
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI, FORT WORTH, TX

NSN(s)—Product Name(s): 8415–01–204–2668—Sleeves, Arm, Radioactive Contaminants Protective, Yellow, Universal
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

NSN(s)—Product Name(s): 1005–00–791–5420—Case, Carrying, M60, Olive
Contracting Activity: DLA LAND AND MARITIME, COLUMBUS, OH

NSN(s)—Product Name(s): 9330–LL–NO1–0397—Sleeve, Protective
Contracting Activity: NAVSUP FLT LOG CTR PUGET SOUND, BREMERTON, WA

NSN(s)—Product Name(s):
8415–01–228–1323—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, XSS
8415–01–228–1324—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, XSL

8415–01–228–1325—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, SSR
8415–01–228–1326—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, SL
8415–01–228–1327—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, MSR
8415–01–228–1328—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, ML
8415–01–228–1329—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, LSR
8415–01–228–1330—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, LL
8415–01–228–1331—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, XLS
8415–01–228–1332—Overalls, Bib, Cold Weather, ECWCS, Army, Brown, XLL
Authorized Source of Supply: ORC Industries, Inc., La Crosse, WI
Authorized Source of Supply: TradeWinds Services, Inc., Merrillville, IN
Authorized Source of Supply: Peckham Vocational Industries, Inc., Lansing, MI
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

NSN(s)—Product Name(s):
8415–00–177–7992—Socks, Extreme Cold Weather 100% Wool, ECWCS, White, Small
8415–00–177–7993—Socks, Extreme Cold Weather 100% Wool, ECWCS, White, Medium
Authorized Source of Supply: Dawn Enterprises, Inc., Blackfoot, ID
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

Service(s)

Service Type: Janitorial/Custodial
Mandatory for: Department of Veteran Affairs, VA Southern Neveda Healthcare System, Pahrump Community Outpatient Clinic, Pahrump, NV
Authorized Source of Supply: Opportunity Village, Las Vegas, NV
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, 262–NETWORK CONTRACT OFFICE 22

Service Type: Janitorial/Custodial
Mandatory for:
VA Data Center (Diablo Site), Las Vegas, NV
VA Outpatient Clinic: East Clinic (La Canada), Las Vegas, NV
VA Outpatient Clinic: Central Clinic (Delta Point), Las Vegas, NV
VA Outpatient Clinic: North Clinic (Nucleus Plaza), Las Vegas, NV
VA Outpatient Clinic: Northwest Clinic, Las Vegas, NV
VA Outpatient Clinic: Southeast Clinic (Ambulatory Procedures), Las Vegas, NV
VA Outpatient Clinic: Southwest Clinic (South Jones), Las Vegas, NV
VA Outpatient Clinic: West Clinic (Rancho/Palomino), Las Vegas, NV
VA Warehouse, 1841 E. Craig Road, Las Vegas, NV
Authorized Source of Supply: Opportunity Village, Las Vegas, NV
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, 262–NETWORK CONTRACT OFFICE 22

Service Type: Laundry Service
Mandatory for: U.S. Marine Corps, Marine Corps Logistics Base, Albany, GA
Authorized Source of Supply: Wiregrass Rehabilitation Center, Inc., Dothan, AL
Contracting Activity: DEPT OF THE NAVY, COMMANDER

Service Type: Janitorial/Custodial
Mandatory for: Department of Veterans Affairs, National Acquisition Center, Building 37, Hines, IL
*Authorized Source of Supply:*Jewish Child and Family Services, Chicago, IL
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, DEPARTMENT OF VETERANS AFFAIRS

Service Type: Janitorial/Custodial
Mandatory for: Department of Veterans Affairs, Hines Information and Technology Center, Hines, IL
Authorized Source of Supply: Jewish Child and Family Services, Chicago, IL
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, ACQUISITION OPERATION SERVICE (049A3)

Service Type: Supply and Warehousing Service
Mandatory for: Department of Veterans Affairs, Service Distribution Center, Building 37, Hines, IL
Authorized Source of Supply: Jewish Child and Family Services, Chicago, IL
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, DEPARTMENT OF VETERANS AFFAIRS

Service Type: Shelf Stocking, Custodial & Warehousing
Mandatory for: Defense Commissary Agency, Bangor Naval Base Kitsap Commissary, Silverdale, WA
Authorized Source of Supply: Peninsula Services, Bremerton, WA
Contracting Activity: DEFENSE COMMISSARY AGENCY (DECA), DEFENSE COMMISSARY AGENCY

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–07156 Filed 4–24–25; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Deletions from the Procurement List.

SUMMARY: This action deletes adds service(s) from the Procurement List that were previously furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: *Date added to and deleted from the Procurement List:* May 25, 2025.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, telephone: (703) 489–1322, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Deletions

On March 21, 2025 (90 FR 13352), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List. This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3.

After consideration of the relevant matter presented, the Committee has determined that the service(s) listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the service(s) to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the service(s) deleted from the Procurement List.

End of Certification

Accordingly, the following service(s) are deleted from the Procurement List:

Service(s)

Service Type: Shelf Stocking, Custodial & Warehousing
Mandatory for: Defense Commissary Agency, Bolling AFB Commissary, 185 Chappie James Blvd., Bolling AFB, DC
Authorized Source of Supply: CW Resources, Inc., New Britain, CT
Contracting Activity: DEFENSE COMMISSARY AGENCY (DECA), DEFENSE COMMISSARY AGENCY

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–07157 Filed 4–24–25; 8:45 am]

BILLING CODE 6353–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting

TIME AND DATE: Wednesday, April 30, 2025—10:00 a.m. (See **MATTER TO BE CONSIDERED**).

PLACE: Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, MD.

STATUS: Commission Meeting—Open to the public.

MATTER TO BE CONSIDERED:

Open Session

Decisional Matter: Notice of Proposed Rulemaking—Safety Standard for Lithium-Ion Batteries Micromobility Products.

A live webcast of the meeting can be viewed at the following link: https://events.gcc.teams.microsoft.com/event/db2e281f-bcf6-40c6-9b2d-e8ff1913b87b@7f5de26c-a63d-475c-9b6c-4126a914e132.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, 301–504–7479.

Dated: April 23, 2025.

Alberta Mills,

Commission Secretary.

[FR Doc. 2025–07254 Filed 4–23–25; 11:15 am]

BILLING CODE 6355–01–P

DEPARTMENT OF ENERGY

Industrial Technology Innovation Advisory Committee

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

ACTION: Notice of open meeting.

SUMMARY: This notice announces an open virtual meeting of the Industrial Technology Innovation Advisory Committee (ITIAC). The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Monday, May 12, 2025; 12–5 p.m. EDT.

ADDRESSES: This half-day meeting will be held virtually for ITIAC members and for members of the public. The ITIAC website will contain announcements about the meeting, including instructions for registering to attend: *https://www.energy.gov/eere/iedo/industrial-technology-innovation-advisory-committee.*

FOR FURTHER INFORMATION CONTACT: Dr. Zachary Pritchard, U.S. Department of Energy, Washington, DC 20585; Telephone: (202) 246–4145 or Email: *ITIAC@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The Industrial Technology Innovation Advisory Committee (Committee) was established pursuant to the Energy Independence and Security Act (EISA) of 2007 as amended by Public Law 116–260, and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 10. The Committee is established to advise the Secretary of Energy (Secretary) on U.S. industry by identifying and evaluating any technologies being developed by the private sector relating to the focus areas described in section 454(c) of the EISA; identifying technology gaps in the private sector or other Federal agencies in those focus areas, and making recommendations on how to address those gaps; surveying and analyzing factors that prevent the adoption of emissions reduction technologies by the private sector; and recommending technology screening criteria for specific industrial technologies to encourage their adoption by the private sector.

Purpose of Meeting: ITIAC will hold this meeting to continue its work towards developing the first Committee report.

Tentative Agenda:

- Call to Order, Introductions, Review of the Agenda
- Welcome and Presentation from DOE
- Updates from Subcommittees and Ad Hoc Groups
  - Subcommittee on Industrial Subsectors
  - Ad Hoc Group on Critical Materials
  - Ad Hoc Group on Advanced Nuclear for Industry
  - Ad Hoc Group on Liquified Natural Gas Facilities
  - Ad Hoc Group on Carbon Capture, Utilization, and Storage
- Discussion on Additional Areas for Recommendations
- Discussion on Next Steps
- Public Comment Period and Closing Remarks
- Adjourn

All attendees are requested to register in advance. The ITIAC website will be updated with instructions and links to register for the meeting: *https://www.energy.gov/eere/iedo/industrial-technology-innovation-advisory-committee.*

Public Participation: The ITIAC welcomes the attendance of the public at its meetings. Individuals who wish to offer public comments at the ITIAC meeting may do so, but must register in advance by 5 p.m. Eastern time on Thursday, May 8, 2025, by sending a written request identified by ''ITIAC May 2025 Meeting,'' to Dr. Zachary Pritchard at *ITIAC@ee.doe.gov.* Approximately 15 minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak but is not expected to exceed three minutes. Anyone who is not able to attend the meeting, or for whom the allotted public comments time is insufficient to address pertinent issues with the ITIAC, is invited to send a written statement identified by ''ITIAC May 2025 Meeting—Written Statement,'' to Dr. Zachary Pritchard at *ITIAC@ee.doe.gov.*

Minutes: Minutes will be posted on the ITIAC website: *https://www.energy.gov/eere/iedo/industrial-technology-innovation-advisory-committee.* They can also be obtained by contacting *ITIAC@ee.doe.gov.*

Signing Authority: This document of the Department of Energy was signed on April 27, 2025, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on April 21, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–07108 Filed 4–24–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5824–013]

Notice of Transfer of Exemption: Webster Hydro Electric Company, Inc; West Dudley Hydro LLC

1. By letter filed April 3, 2025, Webster Hydro Electric Company, Inc and West Dudley Hydro LLC informed the Commission that the exemption from licensing for the North Village Pond Project No. 5824, originally issued

May 27, 1982,[1] has been transferred to West Dudley Hydro LLC. The project is located on the French River in Worcester County, Massachusetts. The transfer of an exemption does not require Commission approval.

2. West Dudley Hydro LLC, located at 17 Mark Avenue, Webster, Massachusetts 01570 is now the exemptee of the North Village Pond Project No. 5824.

Dated: April 21, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–07151 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25–74–000]

Notice of Institution of Section 206 Proceeding and Refund Effective Date: Birdsboro Power LLC

On April 21, 2025, the Commission issued an order in Docket No. EL25–74–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Birdsboro Power LLC's Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Birdsboro Power LLC,* 191 FERC ¶ 61,058 (2025).

The refund effective date in Docket No. EL25–74–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL25–74–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The 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: April 21, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–07182 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25–68–000]

Notice of Institution of Section 206 Proceeding and Refund Effective Date: Tucson Electric Power Company; UNS Electric, Inc.; UniSource Energy Development Company

On April 21, 2025, the Commission issued an order in Docket No. EL25–68–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Tucson Electric Power Company, UNS Electric, Inc. and UniSource Energy Development Company's Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Tucson Electric Power Company,* 191 FERC ¶ 61,062 (2025).

The refund effective date in Docket No. EL25–68–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL25–68–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the

[1] *Webster Hydro Electric Company, Inc.,* 19 FERC ¶ 62,361 (1982) (Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less).

Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The 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: April 21, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–07181 Filed 4–24–25; 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: EC25–46–000.

Applicants: Potomac Energy Center, LLC, Potomac Energy LLC.

Description: Potomac Energy Center, LLC, et al. submit response to FERC's 04/10/2024 Deficiency Letter, Request for Confidential Treatment, Request for Shortened Comment Period, and Request for Expedited Action.

Filed Date: 4/17/25.

Accession Number: 20250417–5243.

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

Docket Numbers: EC25–77–000.

Applicants: Kleen Energy Systems, LLC, Alpha Generation Kleen GP, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Kleen Energy Systems, LLC, et al.

Filed Date: 4/11/25.

Accession Number: 20250411–5243.

Comment Date: 5 p.m. ET 5/27/25.

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

Docket Numbers: ER10–1781–009; ER19–2626–011; ER21–714–012; ER22–381–015; ER22–399–007; ER23–2321–005.

Applicants: Dunns Bridge Energy Storage, LLC, Meadow Lake Solar Park LLC, Dunns Bridge Solar Center, LLC, Indiana Crossroads Wind Farm LLC, Rosewater Wind Farm LLC, Northern Indiana Public Service Company.

Description: Notice of Non-Material Change in Status of Dunns Bridge Energy Storage, LLC, et al.

Filed Date: 4/18/25.

Accession Number: 20250418–5250.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER21–1134–001.

Applicants: Hummel Station, LLC.

Description: Compliance filing: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 4/18/25.

Accession Number: 20250418–5212.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER22–2176–002.

Applicants: Rolling Hills Generating, L.L.C.

Description: Compliance filing: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 4/18/25.

Accession Number: 20250418–5215.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER25–1137–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: Deficiency Response—Revisions to WEIS Tariff Regarding Market Holds to be effective 4/5/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5113.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–1342–000.

Applicants: Second Imperial Geothermal Company L.P.

Description: Second Supplement to February 19, 2025, Second Imperial Geothermal Company LLC tariff filing.

Filed Date: 4/21/25.

Accession Number: 20250421–5082.

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

Docket Numbers: ER25–1408–000.

Applicants: DTE Electric Company.

Description: Refund Report: Refund Report to be effective N/A.

Filed Date: 4/18/25.

Accession Number: 20250418–5002.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER25–2003–000.

Applicants: Duane Arnold Solar II, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 4/18/2025.

Filed Date: 4/18/25.

Accession Number: 20250418–5202.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER25–2004–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of Service Agreement No. 7026; Queue No. AF2–243 to be effective 6/30/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5031.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–2005–000.

Applicants: Grant Solar, LLC.

Description: Request for Prospective and Limited Waiver, et al. of Grant Solar, LLC.

Filed Date: 4/18/25.

Accession Number: 20250418–5251.

Comment Date: 5 p.m. ET 5/9/25.

Docket Numbers: ER25–2006–000.

Applicants: Midcontinent Independent System Operator, Inc., American Transmission Company LLC.

Description: § 205(d) Rate Filing: American Transmission Company LLC submits tariff filing per 35.13(a)(2)(iii): 2025–04–21_SA 4347 ATC–WPL 1st Rev PCA (Project Wave) to be effective 6/21/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5071.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–2007–000.

Applicants: Viridon Path 15 LLC.

Description: § 205(d) Rate Filing: Notice of Succession and Revised Transmission Owner Tariff to be effective 3/28/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5075.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–2008–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–04–21_SA 4312 Termination of OTP-Red Lake Cty Comm Hybrid LLC GIA (R121) to be effective 4/22/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5089.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–2009–000.

Applicants: AEP Texas Inc.

Description: § 205(d) Rate Filing: AEPTX-Dios BESS Generation Interconnection Agreements to be effective 4/3/2025.

Filed Date: 4/21/25.

Accession Number: 20250421–5115.

Comment Date: 5 p.m. ET 5/12/25.

Docket Numbers: ER25–2011–000.
Applicants: ISO New England Inc., NECEC Transmission LLC.
Description: § 205(d) Rate Filing: ISO New England Inc. submits tariff filing per 35.13(a)(2)(iii: ISO–NE/NECEC; Filing of Agreements for Operation of the NECEC Transmission Lines to be effective 6/20/2025.
Filed Date: 4/21/25.
Accession Number: 20250421–5136.
Comment Date: 5 p.m. ET 5/12/25.
Docket Numbers: ER25–2012–000.
Applicants: Hummel Station, LLC, Rolling Hills Generating, L.L.C.
Description: Hummel Station, LLC et. al. requests a one-time waiver of the 90-day prior notice requirement in Schedule 2 of the PJM Interconnection, L.L.C. Open Access Transmission Tariff.
Filed Date: 4/18/25.
Accession Number: 20250418–5255.
Comment Date: 5 p.m. ET 5/9/25.

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

Docket Numbers: ES25–37–000.
Applicants: PJM Interconnection, L.L.C.
Description: Supplement to Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of PJM Interconnection, L.L.C.
Filed Date: 4/18/25.
Accession Number: 20250418–5236.
Comment Date: 5 p.m. ET 5/9/25.

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

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

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

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Dated: April 21, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–07179 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP14–119–003; CP14–120–003]

Notice of Request for Extension of Time: Trunkline Gas Company, LLC; Lake Charles LNG Company, LLC; Lake Charles LNG Export Company, LLC

Take notice that on April 11, 2025, Lake Charles LNG Company, LLC; Lake Charles LNG Export Company, LLC (collectively, Lake Charles LNG); and Trunkline Gas Company, LLC (Trunkline; collectively, the Applicants) requested that the Commission grant an extension of time, until December 31, 2031, to construct and place into service its Liquefaction Project and Pipeline Modifications Project (collectively, the Project) located in Arkansas, Mississippi, and Louisiana as authorized in the Order Granting Section 3 and Section 7 Authorizations and Approving Abandonment (Order).[1] The Order required Trunkline to complete construction of the Pipeline Modifications Project and make it available for service within four years of the date of the Order, or by December 17, 2019; the Order further required Lake Charles LNG to complete construction of the Liquefaction Project and make it available for service within five years of the date of the Order, or by December 17, 2020.

On December 5, 2019, the Commission granted the Applicants an extension of time until December 16, 2025 to complete construction of the Project and make it available for service.[2] The Commission has subsequently granted a second extension of time, making December 17, 2028 the current date for the Project to be constructed and placed into service.[3]

The Applicants experienced delays due to the effects of COVID–19, changes in global demand for liquefied natural gas (LNG), material development of a Project sponsor resulting in Energy Transfer LP (Energy Transfer) assuming 100% of the Project, and the need to re-engage engineering, procurement, and construction contractors.

The Applicants state that it, along with Energy Transfer, have made significant progress toward execution of a commercially viable level of long-term commercial agreements with LNG offtake customers for the Project and reaching a final investment decision (FID). The Applicants state that numerous Project construction-related activities have been, and continue to be, undertaken. The Applicants assert that the FID requires that all Commission authorization remain in full force and effect during construction of the Project; thus, it requests a three-year extension, until December 31, 2031, to complete the Project and place it into service.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on the Applicants' request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,[4] the Commission will aim to issue an order acting on the request within 45 days.[5] The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.[6] The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the

[1] *Lake Charles LNG Company, LLC, et al.,* 153 FERC ¶ 61,300 (2015), *reh'g denied,* 155 FERC ¶ 61,328 (2016) (Order).

[2] *Lake Charles LNG Company, LLC, et al.,* Docket Nos. CP14–119–000, *et al.,* delegated letter order (December 5, 2019).

[3] *Lake Charles LNG Company, LLC, et al.,* 179 FERC ¶ 61,086 at P 21 (2022).

[4] Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

[5] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

[6] *Id.* at P 40.

project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).[7] At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.[8] The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

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The Commission strongly encourages electronic filings of comments in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission'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.*

Comment Date: 5 p.m. Eastern Time on May 6, 2025.

Dated: April 21, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–07150 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

[7] Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

[8] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

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: RP25–830–000.

Applicants: Centra Pipelines Minnesota Inc.

Description: § 4(d) Rate Filing: Update Index of Shippers June 2025 to be effective 6/1/2025.

Filed Date: 4/18/25.

Accession Number: 20250418–5056.

Comment Date: 5 p.m. ET 4/30/25.

Docket Numbers: RP25–831–000.

Applicants: Centra Pipelines Minnesota Inc.

Description: § 4(d) Rate Filing: Update Index of Shippers June 2025—Updated to be effective 6/1/2025.

Filed Date: 4/18/25.

Accession Number: 20250418–5127.

Comment Date: 5 p.m. ET 4/30/25.

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.

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

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Dated: April 21, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–07180 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC25–11–000]

Commission Information Collection Activities (FERC–725k); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–725K (Mandatory Reliability Standards for the SERC Region). There are no changes to the reporting requirements with this information collection.

DATES: Comments on the collection of information are due June 24, 2025.

ADDRESSES: Please submit comments via email to *DataClearance@FERC.gov.* You must specify the Docket No. (IC25–11–000) and the FERC Information Collection number (FERC–725K) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service only, addressed to:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

• *Hand (including courier) delivery to:* Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search.* Once there, you can also sign-up for automatic notification of activity in this docket.

FOR FURTHER INFORMATION CONTACT: Kayla Williams may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–6468.

SUPPLEMENTARY INFORMATION:

Title: FERC–725K (Mandatory Reliability Standards for the SERC Region).

OMB Control No.: 1902–0260.

Type of Request: Three-year extension of the FERC–725K information collection requirements with no changes to the current reporting requirements.

Abstract: Section 215 of the Federal Power Act (FPA) requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards, which are subject to Commission review and approval. Once approved, the Reliability Standards may be enforced by NERC, subject to Commission oversight, or by the Commission independently.

Reliability Standards that NERC proposes to the Commission may include Reliability Standards that are proposed by a Regional Entity to be effective in that region. In Order No. 672, the Commission noted that:

> As a general matter, we will accept the following two types of regional differences, provided they are otherwise just, reasonable, not unduly discriminatory or preferential and in the public interest, as required under the statute: (1) a regional difference that is more stringent than the continent-wide Reliability Standard, including a regional difference that addresses matters that the continent-wide Reliability Standard does not; and (2) a regional Reliability Standard that is necessitated by a physical difference in the Bulk-Power System.

When NERC reviews a regional Reliability Standard that would be applicable on an interconnection-wide basis and that has been proposed by a Regional Entity organized on an interconnection-wide basis, NERC must rebuttably presume that the regional Reliability Standard is just, reasonable, not unduly discriminatory or preferential, and in the public interest. In turn, the Commission must give ''due weight'' to the technical expertise of NERC and of a Regional Entity organized on an interconnection-wide basis.

On April 19, 2007, the Commission accepted delegation agreements between NERC and each of the eight Regional Entities. In the order, the Commission accepted SERC as a Regional Entity organized on less than an interconnection-wide basis. As a Regional Entity, SERC oversees Bulk-Power System reliability within the SERC Region, which covers a geographic area of approximately 560,000 square miles in a sixteen-state area in the southeastern and central United States (all of Missouri, Alabama, Tennessee, North Carolina, South Carolina, Georgia, Mississippi, and portions of Iowa, Illinois, Kentucky, Virginia, Oklahoma, Arkansas, Louisiana, Texas and Florida). The SERC Region is currently geographically divided into five subregions that are identified as Southeastern, Central, VACAR, Delta, and Gateway.

For this renewal, there is only one SERC region Reliability Standard, PRC–006–SERC–3 (Automatic Underfrequency Load Shedding Requirements). PRC–006–SERC–3 is applicable to these SERC entities, 27 planning coordinators (PC), 212 generator owners (GO), and UFLS entities made up 70 transmission owners (TO) and 95 distribution providers.

Type of Respondents: Entities registered with the North American Electric Reliability Corporation (within the SERC region).

Estimate of Annual Burden: [1] The Commission estimates the annual reporting burden and cost for the information collection as:

FERC–725K—MANDATORY RELIABILITY STANDARD FOR THE SERC REGION

	Number of respondents [2]	Annual number of responses per respondent	Total number of responses	Average burden & cost per response [3]	Total annual burden hours & total annual cost	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
Annual Review and Record Retention	27 (PC)	1	27	24 hrs., $1,696.08	648 hrs., $45,794.16	$1,696.08
	212 (GO)	1	212	20 hrs., $1,413.40	4,240 hrs., $299,640.80	1,413.40
	70 (TO)	1	70	12 hrs., $848.04	840 hrs., $59,362.80	848.04
	95 (DP)	1	95	12 hrs., $848.04	1,140 hrs., $80,563.80	848.04
Total	.....	.....	404	.....	6,868 hrs., $485,361.56	4,805.56

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: April 18, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–07068 Filed 4–24–25; 8:45 am]

BILLING CODE 6717–01–P

[1] ''Burden'' is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[2] These values were derived from the NERC Compliance data of February 12, 2025, using only SERC unique United States registered entities.

[3] The estimated hourly cost (salary plus benefits) is a combination based on the Bureau of Labor Statistics (BLS), as of 2024, for 75% of the average of an Electrical Engineer (17–2071) $79.31/hr., 79.31 × .75 = 59.4825 ($59.48-rounded) ($59.48/hour) and 25% of an Information and Record Clerk (43–4199) $44.74/hr., $44.74 × .25% = 11.185 ($11.19 rounded) ($11.19/hour), for a total ($59.48 + $11.19 = $70.67/hour).

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–175]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed April 14, 2025 10 a.m. EST Through April 21, 2025 10 a.m. EST

Pursuant to CEQ Guidance on 42 U.S.C. 4332.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search.*

EIS No. 20250045, Draft, USAF, AK, Proposed Mortar and Artillery Training at Richardson Training Area, Joint Base Elmendorf-Richardson, Alaska, Comment Period Ends: 06/24/2025, Contact: David Martin 210–395–1656.

*EIS No. 20250046, Final, USAF, GU, F–*15 Beddown and Infrastructure Upgrades at Andersen Air Force Base, Guam, Review Period Ends: 05/27/2025, Contact: David Martin 210–395–1656.

Dated: April 21, 2025.

Nancy Abrams,

Associate Director, Office of Federal Activities.

[FR Doc. 2025–07148 Filed 4–24–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0989; FR ID 291393]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before June 24, 2025. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0989.

Title: Sections 63.01, 63.03, 63.04, Procedures for Applicants Requiring Section 214 Authorization for Domestic Interstate Transmission Lines Acquired Through Corporate Control.

Form Number: N/A.

Type of Review: Extension of a currently-approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 92 respondents; 92 responses.

Estimated Time per Response: 1.5–14 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Mandatory. Statutory authority for this collection is contained in 47 U.S.C. 152, 154(i)–(j), 201, 214, and 303(r).

Total Annual Burden: 1,201 hours.

Total Annual Cost: $126,600.

Needs and Uses: A Report and Order, FCC 02–78, adopted and released in March 2002 (Order), set forth the procedures for common carriers requiring authorization under section 214 of the Communications Act of 1934, as amended, to acquire domestic interstate transmission lines through a transfer of control. Under section 214 of the Act, carriers must obtain FCC approval before constructing, acquiring, or operating an interstate transmission line. Acquisitions involving interstate common carriers require affirmative action by the Commission before the acquisition can occur. This information collection contains filing procedures for domestic transfer of control applications under sections 63.03 and 63.04. The FCC filing fee for section 214 applications is currently $1,445 per application, which reflects an increase from the previous fee of $1,230 per application. The filing fee for domestic transfer of control requests for special temporary authority (STA) is currently $755 per application, which reflects an increase from the previous fee is $675 per application.

(a) Sections 63.03 and 63.04 require domestic section 214 applications involving domestic transfers of control, at a minimum, should specify: (1) the name, address and telephone number of each applicant; (2) the government, state, or territory under the laws of which each corporate or partnership applicant is organized; (3) the name, title, post office address, and telephone number of the officer or contact point, such as legal counsel, to whom correspondence concerning the application is to be addressed; (4) the name, address, citizenship, and principal business of any person or entity that directly or indirectly owns at least ten percent of the equity of the applicant, and the percentage of equity owned by each of those entities (to the nearest one percent); (5) certification pursuant to 47 CFR 1.2001 that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988; (6) a description of the transaction; (7) a description of the geographic areas in which the transferor and transferee (and their affiliates) offer domestic telecommunications services, and what services are provided in each area; (8) a statement as to how the application fits into one or more of the presumptive streamlined categories in section 63.03 or why it is otherwise appropriate for streamlined treatment; (9) identification of all other Commission applications related to the same transaction; (10) a statement of whether the applicants are requesting special consideration because either

party to the transaction is facing imminent business failure; (11) identification of any separately filed waiver request being sought in conjunction with the transaction; and (12) a statement showing how grant of the application will serve the public interest, convenience, and necessity, including any additional information that may be necessary to show the effect of the proposed transaction on competition in domestic markets.

In FCC 20–133, adopted September 30, 2020, and released October 1, 2020, the Commission, in order to reduce the need for supplemental requests and to ensure expeditious processing of applications, added the requirements in § 63.04(a)(4) for carrier applicants seeking domestic section 214 authorization to transfer control to specify the voting interests of any person or entity owning 10 percent of the applicants, as well as provide an ownership diagram that illustrates an applicant's vertical ownership structure: (i) The name, address, citizenship, and principal business of any person or entity that directly or indirectly owns ten percent or more of the equity interests and/or voting interests, or a controlling interest, of the applicant, and the percentage of equity and/or voting interest owned by each of those entities (to the nearest one percent). Where no individual or entity directly or indirectly owns ten percent or more of the equity interests and/or voting interests, or a controlling interest, of the applicant, a statement to that effect; and (ii) An ownership diagram that illustrates the applicant's vertical ownership structure, including the direct and indirect ownership (equity and voting) interests held by the individuals and entities named in response to paragraph (a)(4)(i) of this section. Every individual or entity with ownership shall be depicted and all controlling interests must be identified. The ownership diagram shall include both the pre-transaction and post-transaction ownership of the authorization holder.

Where an applicant wishes to file a joint international section 214 transfer of control application and domestic section 214 transfer of control application, the applicant must submit information that satisfies the requirements of 47 CFR 63.18. In the attachment to the international application, the applicant must submit information described in 47 CFR 63.04(a)(6).

When the Commission, acting through the Wireline Competition Bureau, determines that applicants have submitted a complete application qualifying for streamlined treatment, it shall issue a public notice commencing a 30-day review period to consider whether the transaction serves the public interest, convenience and necessity. Parties will have 14 days to file any comments on the proposed transaction, and applicants will be given 7 days to respond. (b) Applicants are not required to file post-consummation notices of pro forma transactions, except that a post transaction notice must be filed with the Commission within 30 days of a pro forma transfer to a bankruptcy trustee or a debtor-in-possession. The notification can be in the form of a letter (in duplicate to the Secretary, Federal Communications Commission). The letter or other form of notification must also contain the information listed in sections (a)(1). A single letter may be filed for more than one such transfer of control. The information will be used by the Commission to ensure that applicants comply with the requirements of 47 U.S.C. 214.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025–07161 Filed 4–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0341; FR ID 291450]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before June 24, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0341.

Title: Section 73.1680, Emergency Antennas.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents and Responses: 142 respondents; 142 responses.

Estimated Time per Response: 1 hour.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 142 hours.

Total Annual Costs: $42,600.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Section 154(i) of the Communications Act of 1934, as amended.

Needs and Uses: The information collection requirements contained in 47 CFR 73.1680 require that licensees of AM, FM or TV stations submit an informal request to the FCC (within 24 hours of commencement of use) to continue operation with an emergency antenna. An emergency antenna is one that is erected for temporary use after the authorized main and auxiliary antennas are damaged and cannot be used. FCC staff uses the data to ensure that interference is not caused to other existing stations.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025–07162 Filed 4–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0152; –0190; –0207]

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. 3064–0152; –0190 and –0207).

DATES: Comments must be submitted on or before June 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.

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:* ID Theft Red Flags.

OMB Number: 3064–0152.

Form Number: None.

Affected Public: Insured State nonmember banks.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0152)

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. Program Establishment 12 CFR 334.90(d); 12 CFR 334.91(c) (Mandatory).	Recordkeeping (On occasion).	8	1	40:00	320
2. Program Operations 12 CFR 334.90(c),(e); 12 CFR 334.91(c) (Mandatory).	Recordkeeping (Annual)	2,854	1	16:00	45,664
3. Program Establishment 12 CFR 1022.82(c),(d) (Mandatory).	Recordkeeping (On occasion).	8	1	40:00	320
4. Program Operations 12 CFR 1022.82(c), (d) (Mandatory).	Recordkeeping (Annual)	2,795	1	04:00	11,180
5. Specific Incident Responses 12 CFR 1022.82(d)(1)–(3) (Mandatory).	Disclosure (On occasion)	2,795	16	00:10	7,453
Total Annual Burden (Hours)	.....	.....	.....	.....	64,937

Source: FDIC.

Note: The estimated annual IC time burden is the product, rounded to the nearest hour, of the estimated annual number of responses and the estimated time per response for a given IC. The estimated annual number of responses is the product, rounded to the nearest whole number, of the estimated annual number of respondents and the estimated annual number of responses per respondent. This methodology ensures the estimated annual burdens in the table are consistent with the values recorded in OMB's consolidated information system.

General Description of Collection: The regulation containing this information collection requirement is 12 CFR part 334, which implements sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act), Public Law 108–159 (2003). FACT Act Section 114: Section 114 requires the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the FDIC (the Agencies) to jointly propose guidelines for financial institutions and creditors identifying patterns, practices, and specific forms of activity that indicate the possible existence of identity theft. In addition, each financial institution and creditor is required to establish reasonable policies and procedures to address the risk of identity theft that incorporate the guidelines. Credit card and debit card issuers must develop policies and procedures to assess the validity of a request for a change of address under certain circumstances. The information collections pursuant to section 114 require each financial institution and creditor to create an Identity Theft Prevention Program and report to the board of directors, a committee thereof, or senior management at least annually on compliance with the proposed regulations. In addition, staff must be trained to carry out the program. Each credit and debit card issuer is required to establish policies and procedures to assess the validity of a change of address request. The card issuer must notify the cardholder or use another means to assess the validity of the change of address. FACT Act Section 315: Section 315 requires the Agencies to issue regulations providing guidance regarding reasonable policies and procedures that a user of consumer reports must employ when such a user receives a notice of address discrepancy from a consumer reporting agency. Part 334 provides such guidance. Each user of consumer reports must develop reasonable policies and procedures that it will follow when it receives a notice of address discrepancy from a consumer reporting agency. A user of consumer reports must furnish an address that the user has reasonably confirmed to be accurate to the consumer reporting agency from which it receives a notice of address discrepancy. There is no

change in the methodology or substance of this information collection. The 7,847 decrease in total estimated annual burden from 72,784 hours in 2022 to 64,937 hours currently is due to a decrease in the estimated number of respondents and a reduction in the estimated number of responses per respondent.

2. *Title:* Loans in Areas Having Special Flood Hazards.

OMB Number: 3064–0207.

Form Number: None.

Affected Public: Private sector.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0207)

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. Private flood insurance, 12 CFR 339.3(c)(3)(iv) and (c)(4)(iv) (Mandatory).	Recordkeeping (On Occasion).	2,825	2	00:30	2,825
2. Standard flood hazard determination form, 12 CFR 339.6(b) (Mandatory).	Recordkeeping (On Occasion).	2,825	296	00:025	34,842
3. Record of receipt of notice of special flood hazards and availability of Federal disaster relief assistance, 12 CFR 339.9(d) (Mandatory).	Recordkeeping (On Occasion).	2,825	37	00:15	26,131
4. Notice of requirement to escrow flood insurance payments and fees, 12 CFR 339.5(b) (Mandatory).	Disclosure (On Occasion) ...	494	62	00:05	2,552
5. Change in status, 12 CFR 339.5(c)(2) (Mandatory)	Disclosure (On Occasion) ...	29	1	40:00	1,160
6. Notice of option to escrow flood insurance payments and fees, 12 CFR 339.5(d)(2) (Mandatory).	Disclosure (On Occasion) ...	29	17	00:05	41
7. Notice to borrower to obtain or increase flood insurance coverage, 12 CFR 339.7(a) (Mandatory).	Disclosure (On Occasion) ...	2,825	10	00:05	2,354
8. Notification to terminate flood insurance purchased on behalf of a borrower, 12 CFR 339.7(b)(1)(i) (Mandatory).	Disclosure (On Occasion) ...	2,825	1	00:15	706
9. Notice of special flood hazards and availability of Federal disaster relief assistance, 12 CFR 339.9(a) (Mandatory).	Disclosure (On Occasion) ...	2,825	37	00:15	26,131
10. Notice to Administrator of FEMA of the loan servicer's identity, 12 CFR 339.10(a) (Mandatory).	Disclosure (On Occasion) ...	2,825	19	00:05	4,473
11. Notice to the Administrator of FEMA of a change in the loan servicer, 12 CFR 339.10(b) (Mandatory).	Disclosure (On Occasion) ...	2,825	19	00:05	4,473
Total Annual Burden (Hours)	.....	.....	.....	.....	105,688

Source: FDIC.

Note: The estimated annual IC time burden is the product, rounded to the nearest hour, of the estimated annual number of responses and the estimated time per response for a given IC. The estimated annual number of responses is the product, rounded to the nearest whole number, of the estimated annual number of respondents and the estimated annual number of responses per respondent. This methodology ensures the estimated annual burdens in the table are consistent with the values recorded in OMB's consolidated information system.

General Description of Collection: Each supervised lending institution is required to provide a notice of special flood hazards to a borrower acquiring a loan secured by a building on real property located in an area identified by FEMA as subject to special flood hazards, and various other notices to borrowers, servicers, and FEMA. The Riegle Community Development Act requires that each institution also provide a copy of the notice to the servicer of the loan (if different from the originating lender). Section 100239 of the Biggert-Waters Flood Insurance Reform Act of 2012 requires each Federal banking agency (including the FDIC), and the Farm Credit Administration, to adopt implementing regulations to direct regulated lending institutions to accept ''private flood insurance,'' as defined by the Biggert-Waters Act. A lending institution would be required to implement policies and procedures to comply with the Biggert-Waters Act provision and verify in writing that a private insurance policy satisfies the criteria included in the definition, or document findings that separate required criteria have been met when accepting a private flood insurance policy in satisfaction of the mandatory flood insurance purchase requirement of the Flood Disaster Protection Act. The institution must also maintain records to permit examination staff to ascertain how the institution has met the requirements of the regulation. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 117,613 hours in 2022 to 105,688 hours currently is due to a decrease in the estimated number of respondents.

3. *Title:* Certification of Compliance with Mandatory Bars to Employment.

OMB Number: 3064–0190.

Form Number: 6910/10.

Affected Public: Individuals, financial institutions and other private sector entities.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0190)

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)
Interagency Appraisal Complaint Form, 12 U.S.C. 3351 (Voluntary).	Reporting (On Occasion)	62	1	00:30	31
Total Annual Burden (Hours)	.....	.....	.....	.....	31

Source: FDIC.

General Description of Collection: The Interagency Appraisal Complaint Form is designed to collect information necessary for one or more agencies to take further action on a complaint from an appraiser, other individual, financial institution, or other entities. The FDIC will use the information to take further action on the complaint to the extent it relates to an issue within its jurisdiction. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 58 hours in 2022 to 31 hours currently is due to a decrease in the estimated 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 April 22, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–07160 Filed 4–24–25; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

TIME AND DATE: Wednesday, April 30, 2025, 10 a.m.

PLACE: Hybrid meeting: 1050 First Street NE, Washington, DC (12th floor) and virtual.

Note: If you would like to virtually access the meeting, see the instructions below.

STATUS: This meeting will be open to the public. To access the meeting virtually, go to the commission's website *www.fec.gov* and click on the banner to be taken to the meeting page.

MATTERS TO BE CONSIDERED:

Draft Advisory Opinion 2025–05: PoliticalMeetings.com

Draft Advisory Opinion 2025–07: Libertarian Party of Maryland, Libertarian Party of Maine, Libertarian Party of Idaho, and Libertarian Party of Vermont

Request for Commission Directive 69 Guidance (LRA 1219)

Office of General Counsel's Recommendations at the Initial Stage of the Enforcement Process (Pursuant to 52 U.S.C. 30109(a))

Election of Officer (Chair)

Management and Administrative Matters

ADDITIONAL INFORMATION: This meeting may be cancelled if the Commission is not open due to a funding lapse.

CONTACT PERSON FOR MORE INFORMATION: Myles Martin, Deputy Press Officer, Telephone: (202) 694–1221.

Individuals who plan to attend in person and who require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Laura E. Sinram, Secretary and Clerk, at (202) 694–1040 or *secretary@fec.gov,* at least 72 hours prior to the meeting date.

(Authority: Government in the Sunshine Act, 5 U.S.C. 552b)

Laura E. Sinram,

Secretary and Clerk of the Commission.

[FR Doc. 2025–07311 Filed 4–23–25; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission.

ACTION: Notice and request for comment.

SUMMARY: The Federal Trade Commission (''FTC'' or ''Commission'') requests that the Office of Management and Budget (''OMB'') extend for an additional three years the current Paperwork Reduction Act (''PRA'') clearance for the information collection requirements in the Alternative Fuels Rule (''Rule''). That clearance expires on April 30, 2025.

DATES: Comments must be received by May 27, 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 and its accompanying supporting statement by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. The *reginfo.gov* web link is a United States Government website produced by OMB and the General Services Administration (GSA). Under PRA requirements, OMB's Office of Information and Regulatory Affairs (OIRA) reviews Federal information collections.

FOR FURTHER INFORMATION CONTACT: Hong Park, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, (202) 326–2158, *hpark@ftc.gov.*

SUPPLEMENTARY INFORMATION:

Title of Collection: Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles (Alternative Fuels Rule), 16 CFR part 309.

OMB Control Number: 3084–0094.

Type of Review: Extension without change of currently approved collection.

Affected Public: Private Sector: Businesses and other for-profit entities.

Estimated Annual Burden Hours: 2,900 hours.

Estimated Annual Labor Costs: $106,752.[1]

[1] This estimate is updated from the prior estimate of $103,337 that was included in the 60-Day **Federal Register** notice and is based on more current information from the Bureau of Labor

Continued

Non-Labor Costs: $1,350.

Abstract

The Energy Policy Act of 1992 established federal programs to encourage the development of alternative fuels and alternative fueled vehicles (AFVs). Section 406(a) of the Act directed the Commission to establish uniform labeling requirements for alternative fuels and AFVs. 42 U.S.C. 13232(a). Such labels must provide ''appropriate information with respect to costs and benefits [of alternative fuels and AFVs], so as to reasonably enable the consumer to make choices and comparisons.'' The required labels must be ''simple and, where appropriate, consolidated with other labels providing information to the consumer.''

Pursuant to the Act, the Commission published the Alternative Fuels Rule in 1995, and the Rule was later amended in 2013.[2] The Rule requires disclosure of specific information on labels posted on fuel dispensers for non-liquid alternative fuels. To ensure the accuracy of these disclosures, the Rule also requires that sellers maintain records substantiating product-specific disclosures they include on these labels. In addition, the Rule requires that distributors of non-liquid alternative vehicle fuel provide certifications of the fuel rating in each transfer to anyone who is not a consumer.

Request for Comment

On January 28, 2025, the FTC sought public comment on the information collection requirements associated with the Rule. 90 FR 8296. The Commission received one germane comment from Imaging Inc., Cardiac, which encouraged the Commission to assess whether the information collection requirements are still efficient and not overly burdensome, particularly for small businesses. The Commission's analysis and findings in this notice's accompanying Supporting Statement address this concern. Pursuant to the OMB regulations, 5 CFR part 1320, that implement the PRA, 44 U.S.C. 3501 *et seq.,* the FTC is providing this second opportunity for public comment while seeking OMB approval to renew the pre-existing clearance for the Rules.

Statistics. *See* Table 1. National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2024, at *https://www.bls.gov/news.release/ocwage.t01.htm,* which was made publicly available on April 2, 2025.

[2] 78 FR 23832 (April 23, 2013). The final amendments consolidated the Commission's AFV labels with the then new fuel economy labels required by the Environmental Protection Agency thereby eliminating the FTC's separate labeling requirements for used AFV labels.

Your comment—including your name and your state—will be placed on the public record of this proceeding. Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, such as anyone's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2025–07195 Filed 4–24–25; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission. (FTC).

ACTION: Notice.

SUMMARY: The Federal Trade Commission (''FTC'' or ''Commission'') is seeking public comments on its proposal to extend for an additional three years the current Paperwork Reduction Act (''PRA'') clearance for information collection requirements contained in the Mail, internet, or Telephone Order Merchandise Rule (''MITOR'' or ''Rule''). That clearance expires on August 31, 2025.

DATES: Comments must be filed by June 24, 2025.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Paperwork Reduction Act Comment: FTC File No. P072108'' on your comment, and file your comment online at *https://www.regulations.gov* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex J), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Michelle Schaefer, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Mail Code CC–6316, 600 Pennsylvania Avenue NW, Washington, DC 20580, (202) 326–3515.

SUPPLEMENTARY INFORMATION:

Title of Collection: Mail, internet, or Telephone Order Merchandise Rule (MITOR or Rule), 16 CFR part 435.

OMB Control Number: 3084–0106.

Type of Review: Extension of currently approved collection.

Affected Public: Businesses engaged in the sale of merchandise by mail, internet or telephone.

Estimated Annual Burden Hours: 4,003,250 hours [(68,358 established businesses × 50 hours) + (2,545 new entrants × 230 hours)].

Estimated Annual Labor Costs: $104,084,500 (4,003,250 hours × $26.00/hour).[1]

Estimated Annual Non-Labor Costs: $0.

Abstract: Generally, the MITOR requires a seller (or merchant) to: (1) have a reasonable basis for any express or implied shipment representation made in soliciting the sale (if no express time period is promised, the implied shipment representation is 30 days); (2) notify the buyer (or consumer) and obtain the buyer's consent to any delay in shipment; and (3) make prompt and full refunds when the buyer exercises a cancellation option or the seller is unable to meet the Rule's other requirements.

As required by section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), the FTC is providing this opportunity for public comment before requesting that OMB extend the existing clearance for the information collection requirements contained in the MITOR.

[1] The hourly wage rates for sales and related workers are based on the hourly mean wage rates found at *https://www.bls.gov/news.release/ocwage.htm* (''Occupational Employment and Wages—May 2024,'' U.S. Department of Labor, last modified April 2, 2025, Table 1 (''National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2024'').

Burden Statement

A. Estimated Total Annual Hours Burden: 4,003,250 Hours

As discussed in prior **Federal Register** Notices related to this clearance,[2] FTC staff estimates that established companies each spend an average of 50 hours per year on compliance with the Rule, and that new industry entrants spend an average of 230 hours (an industry estimate) on compliance.[3] Thus, the total estimated hours burden is calculated by multiplying the estimated number of established companies by 50 hours, multiplying the estimated number of new entrants by 230 hours, and adding the two products.

Since the FTC's renewal request in 2022, however, the number of businesses engaged in the sale of merchandise subject to the MITOR has increased. The most currently available data from the U.S. Census Bureau indicates that, between 2012 and 2022, the number of businesses subject to the MITOR grew from 30,185 to 55,633, or an average increase of 2,545 new businesses a year [(55,633 businesses in 2022 − 30,185 businesses in 2012) ÷ 10 years].[4] [5] Assuming this growth rate continues from 2025 through 2028, the average number of established businesses during the three-year period for which OMB clearance is sought for the Rule would be 68,358: [6]

Year	Established businesses	New entrants
2025–26	65,813	2,545
2026–27	68,358	2,545
2027–28	70,903	2,545
Average	68,358	2,545

FTC staff estimates that, in an average year during the three-year OMB clearance period, established businesses and new entrants will devote 4,003,250 hours to comply with the MITOR [(68,358 established businesses × 50 hours) + (2,545 new entrants × 230 hours) = 4,003,250].

The estimated PRA burden per seller to comply with the MITOR is likely overstated because much of the estimated time burden for disclosure-related compliance would arguably be incurred even absent the Rule. Over the years, industry trade associations and individual witnesses have consistently taken the position that providing consumers with notice about the status of their orders fosters consumer loyalty and encourages repeat purchases, which are important to marketers' success. In recent years, the demands of the internet's online marketplace and its leading retailers, such as *Amazon.com, Walmart.com,* and *Ebay.com* have driven many businesses to upgrade the information management systems to track and ship orders more effectively.[7] These upgrades were primarily prompted by the industry's need to deal with growing consumer demand for merchandise that is timely shipped. Accordingly, most companies now provide updated order information of the kind required by the Rule in their ordinary course of business to meet consumer expectations regarding timely shipment, notification of delay, and prompt and full refunds.[8]

B. Estimated Labor Costs: $102,563,265

FTC staff derived labor costs by applying appropriate hourly cost figures to the burden hours described above. According to the most recent data available from the Bureau of Labor and Statistics,[9] the mean hourly income for workers in sales and related occupations was $26.00/hour. The bulk of the burden of complying with the MITOR is borne by clerical personnel along with assistance from sales personnel. FTC staff believes that the mean hourly income for workers in sales and related occupations is an appropriate measure of a direct marketer's average labor cost to comply with the Rule. Thus, the total annual labor cost to new and established businesses for MITOR compliance during the three-year period for which OMB approval is sought would be approximately $104,084,500 (4,003,250 hours × $26.00/hour). Relative to direct industry sales, this total is negligible.[10]

Request for Comment

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) whether the disclosure and recordkeeping requirements are necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information.

For the FTC to consider a comment, we must receive it on or before June 24, 2025. Your comment, including your name and your state, will be placed on the public record of this proceeding, including the *https://www.regulations.gov* website.

You can file a comment online or on paper. Due to heightened security screening, postal mail addressed to the Commission will be subject to delay. We encourage you to submit your comments online through the *https://www.regulations.gov* website.

If you file your comment on paper, write ''Paperwork Reduction Act Comment: FTC File No. P072108'' on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex J), Washington, DC 20580.

Because your comment will become publicly available at *https://www.regulations.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal

[2] *See, e.g.,* 62 FR 63717 (Dec. 2, 1997).

[3] Most of this estimated time is start-up time tied to the development and installation of computer systems geared to more efficiently handle customer orders.

[4] U.S. Census Bureau, *All Sectors: County Business Patterns, including ZIP Code Business Patterns, by Legal Form of Organization and Employment Size Class for the U.S., States, and Selected Geographies: 2022, available at https://data.census.gov/table/CBP2022.CB2200CBP?y=2022&n=4541.*

[5] Conceptually, this might understate the number of new entrants. Given the virtually unlimited diversity of retail establishments, it is very unlikely that there is a reliable external measure; nonetheless, as in the past, the Commission invites public comment that might better inform these estimates. For example, many online marketplace sellers that use *Amazon.com's* marketplace to sell to customers have agreements that provide that Amazon handles packaging and shipping the products to customers. Whether *Amazon.com* is also the entity responsible for sending customers delay notices when necessary could affect which entity is subject to MITOR disclosure requirements (Amazon or the individual marketplace seller).

[6] As noted above, the existing OMB clearance for the Rule expires on August 31, 2025, and the FTC is seeking to extend the clearance for three years.

[7] Brian Baskin, *Amazon's Free Shipping Pushes Small Retailers, Delivery Firms to Compete, The Wall Street Journal* (Apr. 8, 2017), *available at https://www.wsj.com/articles/amazons-free-shipping-pushes-small-retailers-delivery-firms-to-compete-1491649203.*

[8] Under the OMB regulation implementing the PRA, burden is defined to exclude any effort that would be expended regardless of any regulatory requirement. 5 CFR 1320.3(b)(2).

[9] *See Table 1, National Employment and Wage Data from the Occupational Employment Statistics Survey by Occupation,* May 2024, *available at https://www.bls.gov/news.release/ocwage.t01.htm.*

[10] Considering that sales for ''electronic shopping and mail order houses'' grew from $411.480 billion in 2015 to $1,593.380 billion in 2022, FTC staff estimates the annual mail, internet, or telephone sales to consumers in the three-year period for which OMB clearance is sought will average $1.3 trillion. Thus, the projected average labor cost for MITOR compliance by existing and new businesses for that period would amount to 0.006438% of sales. U.S. Census Bureau, *Supplemental Estimated Annual Sales for Employer-only U.S. Electronic Shopping and Mail-Order Houses (NAICS 4541)—Total and E-commerce Sales by Primary Business Activity: 2015–2022* (Sep. 25, 2024), *available at https://www.census.gov/data/tables/2022/econ/arts/2022restated/supplemental-ecommerce.html.*

information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including, in particular, competitively sensitive information, such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must (1) be filed in paper form, (2) be clearly labeled ''Confidential,'' and (3) comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at *www.regulations.gov,* we cannot redact or remove your comment unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before June 24, 2025. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2025–07194 Filed 4–24–25; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity: Unaccompanied Alien Children Sponsor Application Packet (Office of Management and Budget #0970–0278)

AGENCY: Office of Refugee Resettlement, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), U.S. Department of Health and Human Services, is inviting public comments on revisions to an approved information collection. The request consists of several forms that allow the Unaccompanied Alien Children Bureau to assess the suitability of potential sponsors for unaccompanied alien children. Note this information collect was previously titled Family Reunification Application for Sponsors of Unaccompanied Alien Children and has been retitled at the direction of ORR leadership.

DATES: Comments due June 24, 2025. In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above.

ADDRESSES: You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: Proposed revisions for each form are listed below and include terminology updates requested by the current Administration.

Additionally, ORR proposes changing the title of this information collection from ''Family Reunification Packet for Sponsors of Unaccompanied Children'' to ''Unaccompanied Alien Children Sponsor Application Packet'' to better reflect the purpose of the information collection.

Finally, the current Administration has requested more comprehensive information on sponsor income to support suitability assessments as part of the sponsorship application. In addition to the information already collected in form SAP–3, ORR is planning to prepare an Affidavit of Support that will be completed by the sponsor and provide certification that the sponsor has the financial means to provide for the child's physical and mental well-being (per 45 CFR 410.1202(c)). This new instrument will be incorporated into the information collection in time for the second **Federal Register** notice, to ensure proper notification to the public and solicitation of comments.

- *All Forms:* Replace ''unaccompanied child'' or ''UC'' with ''unaccompanied alien child'' or ''UAC''.
- *Authorization for Release of Information (Form SAP–2):* This instrument collects respondents' written consent to background investigations with Federal, State, or local law enforcement and/or child welfare agencies, allows ORR to determine whether an unaccompanied alien child will be safe in the custody of a potential sponsor, adult household members, and alternate adult caregivers. The expected respondents of this instrument are, under certain circumstances, potential sponsors, adult household members, and alternate adult caregivers.
  - Remove ''in black ink'' from the instruction at the top of the form to reflect that ORR accepts both wet and electronic signatures for this form.
  - Make the following revisions to the third declaration:
    - Reword ''I Understand that my biometric and biographical information, including my fingerprints . . .'' to ''I Understand that my biometric and biographical information, including my fingerprints and my photograph . . .''
    - Remove the last sentence and related footnote that reference restrictions from the Consolidated Appropriations Act of 2023.
  - Revise the burden estimate to account for a decrease in the number of sponsors applying to sponsor a child, an increase in the number of individuals required to undergo fingerprint checks, and an increase in the number of care provider facilities. The annual number of respondents increased from 81,532 to 183,588; the annual number of record keepers increased from 235 to 300; and the annual number of responses per record keeper increased from 347 to 612.
- *Sponsor Application (Form SAP–3):* This form collects information related to the potential sponsor's ability to provide for the unaccompanied alien child's mental and physical wellbeing. ORR uses the information collected to determine the suitability of a potential sponsor as a custodian of an unaccompanied alien child. The expected respondents of this instrument are potential sponsors.

○ Rename form ''Sponsor Application'' from ''Family Reunification Application''.

○ Revise the instructions for proof of identity in the Supporting Documents section as follows:

■ Clarify that original versions are accepted.

■ Clarify that expired documents will no longer be accepted.

■ Remove several options under List B that will no longer be accepted as proof of identity.

○ Revise the burden estimate to account for a decrease in the number of sponsors applying to sponsor a child and an increase in the number care provider facilities. The annual number of respondents decreased from 122,950 to 76,569; the annual number of record keepers increased from 235 to 300; and the annual number of responses per record keeper decreased from 523 to 255.

• *Fingerprinting Instructions (Form SAP–7):* This instrument informs, as appropriate, potential sponsors, adult household members, and adult caregivers of the steps they must take to be fingerprinted. Fingerprints are collected electronically at grantee or contractor-operated digital fingerprinting sites or submitted via mail using FBI fingerprint cards (form FD–258, OMB #1110–0046). The expected respondents of this instrument are, under certain circumstances, potential sponsors, adult household members, and adult caregivers.

○ Revise the burden estimate to account for a decrease in the number of sponsors applying to sponsor a child, an increase in the number of individuals required to undergo fingerprint checks, and an increase in the number care provider facilities. The annual number of respondents increased from 81,532 to 183,588; the annual number of record keepers increased from 235 to 300; and the annual number of responses per record keeper increased from 347 to 612.

• *Letter of Designation for Care of a Child (Form SAP–9):* This instrument is filed by an unaccompanied alien child's parent(s) or legal guardian(s) to specify a potential sponsor to whom they wish to grant caregiving authority for their child. The form is optional (not required for release) but helps non-parent sponsors access community resources or answer questions from government authorities about the nature of their relationship with an unaccompanied alien child in their care.

○ Revise the burden estimate to account for a decrease in the number of sponsors applying to sponsor a child and an increase in the number care provider facilities. The annual number of respondents decreased from 41,181 to 19,202; the annual number of record keepers increased from 235 to 300; and the annual number of responses per record keeper decreased from 175 to 64.

Respondents: Potential sponsors of unaccompanied alien children, their adult household members, and alternate adult caregivers

Annual Burden Estimates:

RESPONDENTS

Instrument title	Annual total number of respondents	Annual total number of responses per respondent	Average burden hours per response	Annual total burden hours
Authorization for Release of Information (Form SAP–2)	183,588	1	0.50	91,794
Family Reunification Application (Form SAP–3)	76,569	1	1.00	76,569
Fingerprinting Instructions (Form SAP–7)	183,588	1	1.25	229,485
Letter of Designation for Care of Minor (Form SAP–9)	19,202	1	0.75	14,401
Estimated Annual Burden Hours Total				412,249

RECORD KEEPERS

Instrument title	Annual total number of record keepers	Annual total number of responses per record keeper	Average burden hours per response	Annual total burden hours
Authorization for Release of Information (Form SAP–2)	300	612	0.25	45,900
Family Reunification Application (Form SAP–3)	300	255	0.25	19,125
Fingerprinting Instructions (Form SAP–7)	300	612	1.00	183,600
Letter of Designation for Care of Minor (Form SAP–9)	300	64	0.25	4,800
Estimated Annual Burden Hours Total				253,425

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) 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. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 6 U.S.C. 279; 8 U.S.C. 1232; 45 CFR 410.1202 and 410.1302(c).

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–07075 Filed 4–24–25; 8:45 am]

BILLING CODE 4184–45–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2024–0033; OMB No. 1660–0130]

Agency Information Collection Activities: Submission for OMB Review, Comment Request; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day notice of reinstatement and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget (OMB) for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. FEMA invites the general public to take this opportunity to comment on a reinstatement, without change, of a previously approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks comments concerning the Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

DATES: Comments must be submitted on or before May 27, 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: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Krista Westinson, Sr. PRA Clearance Officer, Information Management Division, at 202–394–6377, and *FEMA-HQ-Forms@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Executive Order 12862 directs Federal agencies to provide service to the public that matches or exceeds the best service available in the private sector. In order to work continuously to ensure that our programs are effective and meet our customers' needs, FEMA seeks to obtain OMB approval of a generic clearance to collect qualitative feedback on our service delivery. By qualitative feedback, we mean information that provides useful insights on perceptions and opinions but not statistical surveys that yield quantitative results that can be generalized to the population of study.

This proposed information collection previously published in the **Federal Register** on November 21, 2024, at 89 FR 92140 with a 60-day public comment period. No comments were received. The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

Type of Information Collection: Reinstatement, without change, of a previously approved information collection.

OMB Number: 1660–0130.

FEMA Forms: None.

Abstract: The information collection activity will garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. This feedback will provide insights into customer or stakeholder perceptions, experiences, and expectations; provide an early warning of issues with service; or focus attention on areas where communication, training, or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative, and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management. Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential nonresponse bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

Affected Public: Individuals or Households.

Estimated Number of Respondents: 1,075,000.

Estimated Number of Responses: 1,075,000.

Estimated Total Annual Burden Hours: 268,783.

Estimated Total Annual Respondent Cost: $12,269,944

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $2,349,900.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have

practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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.

Maile Rasco-Arthur,

Acting Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–07172 Filed 4–24–25; 8:45 am]

BILLING CODE 9111–19–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No.: DHS–2025–2017]

Notice of Availability of a Draft Programmatic Environmental Assessment for Actions Related to the Migrant Protection Protocols Program

AGENCY: Department of Homeland Security.

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Homeland Security (DHS) announces the availability of the Draft Programmatic Environmental Assessment (PEA) and Draft Finding of No Significant Impact (FONSI) for the proposed resumption of the Migrant Protection Protocols (MPP) Program along the southern border of the United States (U.S.) as directed by the Executive Order entitled, *Securing Our Borders* (the Proposed Action). The Draft PEA programmatically evaluates reasonably foreseeable environmental impacts that may occur because of the Proposed Action and identifies standard best management practices (BMPs) by which DHS can reduce such impacts.

DATES: Comments are encouraged and will be accepted until May 27, 2025.

ADDRESSES: The Draft PEA and Draft FONSI are available on DHS's website at: *https://www.dhs.gov/sep/ephp/nepa.* Comments may be submitted by either of the following methods:

- *Regulations.gov web portal:* Navigate to *https://www.regulations.gov* and search for Docket No. DHS–2025–0017 to submit public comments. Follow the online instructions for submitting comments. All public comments received are subject to the Freedom of Information Act and will be posted in their entirety at this site and available for public viewing. Do not include any information you would not like to be made publicly available.
- *By email:* Jennifer Hass, Acting Executive Director, Energy and Environment Division, at *EED-EP@hq.dhs.gov,* Subject Header: 'Docket No. DHS 2025–2017 MPP PEA'.

All comments received may be made publicly available without change, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Jennifer Hass, Acting Executive Director, Energy and Environment Division, Department of Homeland Security at (202) 834–4346 or *EED-EP@hq.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Background: Under the MPP program (also known as the ''Remain in Mexico'' program) certain foreign individuals entering or seeking admission into the United States from Mexico, who enter illegally or without proper documentation, may be returned to Mexico to wait outside the U.S. for the duration of their removal proceedings. DHS, as the federal Department responsible for managing border control and immigration, has the authority to administer programs that further these missions and protect national security.

The MPP program was first established on December 20, 2018, under authority granted to DHS pursuant to Section 235(b)(2)(C) of the Immigration and Nationality Act (INA) and was subsequently terminated in 2022. On January 20, 2025, President Trump issued E.O. 14165, *Securing Our Borders,* which directed the DHS Secretary, along with the Secretary of State and Attorney General, to resume the MPP program ''in all sectors along the southern border of the United States.''

Under the initial MPP program, aliens encountered at the southern border of the U.S. and determined to be eligible for the MPP program were processed at the border POE, issued a Notice to Appear, placed into removal proceedings, and transferred back to Mexico. Aliens were allowed to return to the U.S. at a designated POE in order to attend their immigration court hearings. Under this program, the U.S. and the Government of Mexico developed a joint agreement, where the Government of Mexico agreed to provide appropriate humanitarian protections to those aliens returned to Mexico under the MPP program.

Proposed Action: DHS proposes to resume the MPP program, in accordance with E.O. 14165, as DHS enforces immigration laws and responds to changing security and humanitarian conditions along the southern border. The Proposed Action is needed to provide DHS the ability to return certain aliens to Mexico pending the completion of removal proceedings pursuant to Section 240 of the INA (8 U.S.C. 1229a). The PEA evaluates the full lifecycle of the MPP program including its resumption and future cessation, whether temporary or permanent.

The increasing influx of aliens into the U.S. has overwhelmed the U.S. immigration system, making it easier for illegal aliens to enter and remain in the U.S. This influx has also resulted in other consequences, including an increase in human smugglers, traffickers, and illegal drugs and other contraband that have been able to cross the border and remain in the U.S., endangering national security. The Proposed Action would provide a safe and orderly immigration process, decrease illegal activities and illicit contraband, and reduce threats to national security and public safety.

DHS prepared the subject Draft PEA to streamline the review process and eliminate duplicative, lengthy reviews for repetitive actions that would occur under the MPP program and that could be broadly analyzed given their similar scopes. Additionally, the PEA would provide programmatic-level recommendations for BMPs to avoid or minimize impacts on the environment, to the greatest extent practicable. However, individual project implementation actions may still require additional review under other environmental and historic preservation statutes, regulations, and EOs. MPP program activities that could occur during the operational phases of the program, such as new construction of temporary facilities to support immigration proceedings, would still require review on a project-specific basis.

The Draft PEA evaluates the potential environmental, cultural, socioeconomic, and physical impacts associated with DHS's Proposed Action.

DHS would not undertake any operational activities within the sovereign territory of Mexico under this Proposed Action. Therefore, this action is not subject to requirements under E.O. 12114, *Environmental Effects Abroad of Major Federal Actions.*

Alternatives: In addition to the Proposed Action Alternative, which would implement the Proposed Action, DHS considered a No Action Alternative. Under the No Action Alternative, DHS would analyze the environmental effects associated with not resuming the MPP program as directed by E.O. 14165. It should be noted that DHS would still employ other methods to enforce immigration laws, which may include applicable emergency authorizations, in support of its national security mission.

Draft Finding of No Significant Impact: The evaluation performed within this Draft PEA concludes that no significant adverse impact to the environment or human quality of life is anticipated as a result of implementing the Proposed Action, provided that routine BMPs specified in the Draft PEA are implemented.

Request for Public Review: Federal agencies; Tribal, state, and local governments; the public; and other interested parties are requested to comment on the Draft PEA, which will be available for a 30-day public comment period from May 27, 2025. Comments may be provided via electronic mail to the contact identified above, with subject header: ''MPP PEA'' or via the *Regulations.gov* web portal. A mailing address to submit hardcopy comments can be provided upon request.

Availability of the Draft PEA: The Draft PEA and Draft FONSI are available on DHS's website at: *https://www.dhs.gov/sep/ephp/nepa.*

(Authority: National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), as amended, DHS Management Directive 023–01, rev. 01 (Implementation of NEPA), and DHS Instruction Manual 023–01–001–01, rev. 01 (Implementation of the NEPA).)

Jennifer Hass,

Acting Executive Director, Energy and Environment Division, Office of the Chief Readiness Support Officer, Department of Homeland Security.

[FR Doc. 2025–06816 Filed 4–24–25; 8:45 am]

BILLING CODE 9112–FF–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Control Number 1010–0176; Docket ID: BOEM–2025–0003]

Agency Information Collection Activities; Renewable Energy on the Outer Continental Shelf and Alternate Uses of Existing Facilities on the Outer Continental Shelf

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Ocean Energy Management (BOEM) proposes this information collection request (ICR) to renew Office of Management and Budget (OMB) control number 1010–0176 with revisions.

DATES: Comments must be received by BOEM no later than June 24, 2025.

ADDRESSES: Send written comments on this ICR by mail to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166; or by email to *anna.atkinson@boem.gov*. Please reference OMB control number 1010–0176 in the subject line of your comments. You may comment on the ICR and view related documents by searching for the docket number ''BOEM–2025–0003'' at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Anna Atkinson by email at *anna.atkinson@boem.gov,* or by telephone at 703–787–1025. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside of the United States should use the relay services offered within their country to make international calls to the point of contact in the United States.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, BOEM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps BOEM assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand BOEM's information collection requirements and provide the requested data in the desired format.

BOEM is soliciting comments on the proposed ICR described below. BOEM is especially interested in public comments addressing the following issues: (1) is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments that you submit in response to this notice are a matter of public record. BOEM will include or summarize each comment in its ICR to OMB for approval of this information collection. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available at any time. Even if BOEM withholds your personally identifiable information in the context of this ICR, your comment is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552). Your information will only be withheld if a determination is made that one of the FOIA exemptions to disclosure applies. Such a determination will be made in accordance with the Department of the Interior's (DOI) FOIA implementing regulations (43 CFR part 2) and applicable law.

In order for BOEM to consider withholding from disclosure your personally identifiable information, you must identify, in a cover letter, any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. Note that BOEM will make available for public inspection, in their entirety, all comments submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses.

BOEM protects proprietary information in accordance with FOIA, DOI's implementing regulations (43 CFR part 2), and 30 CFR part 580.70, promulgated pursuant to the Outer

Continental Shelf Lands Act (OCS Lands Act) (43 U.S.C. 1352(c)).

Title of Collection: ''30 CFR part 585, Renewable Energy on the Outer Continental Shelf and 586, Alternate Uses of Existing Facilities on the Outer Continental Shelf.''

Abstract: The ICR addresses the paperwork requirements in the regulations under 30 CFR parts 585 and 586 issued pursuant to the OCS Lands Act, as amended (43 U.S.C. 1331 *et seq.*). The OCS Lands Act at subsection 8(p) (43 U.S.C. 1337(p)) authorizes the Secretary of the Interior to issue leases, easements, or rights-of-way on the OCS for activities that produce or support production, transportation, or transmission of energy from sources other than oil and gas, including renewable energy. Subsection 8(p) directs the Secretary to issue any necessary regulations to carry out the OCS renewable energy program. The Secretary delegated this authority to BOEM. BOEM issued regulations for OCS renewable energy activities at 30 CFR parts 585 and 586; this notice concerns the reporting and recordkeeping elements required by these regulations.

Respondents are parties interested in obtaining a lease or grant for renewable energy activities on the OCS; lessees and grantees submitting plans for commercial and noncommercial renewable energy projects on the OCS, and, if such plans are approved, constructing, operating, maintaining, and decommissioning those projects; and applicants for, or holders of, rights-of-use and easement for alternate uses of existing facilities on the OCS. BOEM must ensure that these activities are carried out in a manner that provides for, among other things, safety, protection of the environment, and consideration of other OCS users. In order to execute its duties, BOEM requires information regarding potential purchasers of leases, grants, and rights-of-way; their proposed activities; their financial assurance instruments to ensure accrued obligations are met; and their payments to the U.S. Treasury.

BOEM uses forms to collect information to ensure proper and efficient administration of OCS renewable energy leases and grants and to document the financial responsibility of lessees and grantees. Forms BOEM–0002, BOEM–0003, BOEM–0004, and BOEM–0006 are used, respectively, by renewable energy entities on the OCS to assign a grant interest, assign a lease interest, relinquish a lease or grant, and designate an operator. Form BOEM–0005 is used to document a surety's guarantee of lessees' and grantees' performance. BOEM maintains the submitted forms as official lease and grant records.

OMB Control Number: 1010–0176.

Form Number:

- BOEM–0002, ''Outer Continental Shelf (OCS) Renewable Energy Assignment of Grant;''
- BOEM–0003, ''Assignment of Record Title Interest in Federal OCS Renewable Energy Lease;''
- BOEM–0004, ''Outer Continental Shelf (OCS) Renewable Energy Lease or Grant Relinquishment Application;''
- BOEM–0005, ''Outer Continental Shelf (OCS) Renewable Energy Lessee's, Grantee's, and Operator's Bond;'' and
- BOEM–0006, ''Outer Continental Shelf (OCS) Renewable Energy Lease or Grant Designation of Operator.''

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Companies interested in renewable energy-related uses on the OCS and holders of leases and grants under 30 CFR parts 585 and 586.

Total Estimated Number of Annual Responses: 485 responses.

Total Estimated Number of Annual Burden Hours: 44,178 hours.

Respondent's Obligation: Mandatory or required to retain or obtain a benefit.

Frequency of Collection: On occasion or annually.

Total Estimated Annual Non-Hour Burden Cost: $2,754,000 non-hour cost burden.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this collection is 44,178 hours, 485 responses and $2,754,000 non-hour cost burdens. The existing approval is 9,876 annual burden hours, 200 annual responses, and $1,908,000 non-hour cost burdens.

BOEM is updating the overall burden numbers for this OMB control number to align with the recent increase in development activity and to reflect more realistically the manner by which conditional approvals have been used to increase the number and scope of compliance requirements compared to previous estimates. BOEM sets conditions of approval for activities on the OCS to ensure compliance with regulations and project-specific requirements. BOEM has several projects under current leases that recently entered the planning phase, and therefore, these annual burden hours were not counted in the last ICR renewal. BOEM is increasing the annual burden hours to reflect the increase related to the terms and conditions of approval of these projects. The adjustments to the numbers in the burden table for this revision are estimates based on BOEM's knowledge and expertise of the industry and requirements associated with offshore wind projects.

BOEM is also rolling the annual burdens under OMB control number 1010–0195 into this revision of 1010–0176. In 2024, BOEM had two rulemakings tied to 30 CFR 585 and 586. In order to account for the PRA work and for OMB to track the collections of information, BOEM used two OMB control numbers, 1010–0176 and 1010–0195. With the completion of these rulemakings, this revision of OMB control number 1010–0176 will bring all the information collection burdens under one control number, and BOEM will discontinue 1010–0195.

Overall, this ICR increases annual burdens by 34,302 hours to a new total of 44,178 hours. This ICR increases responses by 285 responses to a new total of 485 and increases the non-hour cost burdens by $846,000 to a new total of $2,754,000.

On January 20, 2025, the Presidential memorandum, *Temporary Withdrawal of All Ares on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects,* was issued. With the hold on wind leasing, BOEM will likely see a decrease in annual burden hours on future renewals of OMB control number 1010–0176, but for this ICR we are continuing to account of the leases moving through the approval process.

The following table details the individual components and estimated hour burdens. In calculating the burdens, BOEM recognized that some of its required information collections are incurred by respondents in the normal course of their activities, like compiling and maintaining business records. BOEM considers some information collection activities to be usual and customary business practices and excluded those activities from its account in estimating the burden.

BURDEN TABLE

Section(s) in 30 CFR 585	Reporting and recordkeeping requirement [1]	Hour burden	Average number of annual responses	Annual burden hours
			Non-hour cost burdens	
	Subpart A—General Provisions			
102(e)	Affected State and local governments enter into and participate in task forces, joint planning or coordination agreements after BOEM invitation.	275	6 meetings or agreements.	1,650
103; 586.104	Request general departures not specifically covered elsewhere in part 585	24	5 requests	120
105(c); 586.105(c)	Make oral requests or notifications and submit written follow up within 3 business days not specifically covered elsewhere in part 585.	24	3 requests	72
107; 108; 230(f); 302(a); 409(c); 586.107; 586.203–.213.	Submit evidence of qualifications to hold a lease or grant; submit required supporting information (electronically if required). Qualifications include demonstrating that you have the technical and financial capabilities to conduct the activities authorized by the lease or grant.	24	5 submissions	120
107(b)(1)	Request exception from exclusion or disqualification from participating in transactions covered by Federal non-procurement debarment and suspension system.	15	1 exception	15
106(b)(2), 107(b); 118(c); 315(b); 436; 527(f); 586.107.	Request reconsideration and/or hearing	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0
109; 530(b)	Notify BOEM within 3 business days after learning of any action filed alleging respondent is insolvent or bankrupt.	2	1 notice	2
110	Notify BOEM in writing of merger, name change, or change of business form no later than 120 days after earliest of either the effective date or filing date.	Requirement not considered IC under 5 CFR 1320.3(h)(1).		0
112(b)(5)	Within 30 days of receiving bill, submit processing fee payments for BOEM document or study preparation to process applications and other requests.	1	1 submission	1
		1 payments × $4,000 = $4,000		
112(b)(2), (3)	Submit comments on proposed processing fee or request approval to perform or directly pay contractor for all or part of any document, study, or other activity, to reduce BOEM processing costs.	550	2 requests	1,100
112(b)	Perform, conduct, develop, etc., all or part of any document, study, or other activity; and provide results to BOEM to reduce BOEM processing fee.	2,500	1 submission	2,500
112(b)	Pay processing fee for all or part of any document, study, or other activity, and provide results to BOEM to reduce BOEM processing costs.	1 studies payments × $2,750,000 = $2,750,000		
118(a); 436(c); 112(b)(7)	Except as stated in paragraph (c), any party adversely affected by a final decision issued by BOEM under this part may appeal that decision to the Interior Board of Land Appeals (IBLA), under part 590 of this chapter and 43 CFR part 4, subpart E.	Exempt under 5 CFR 1320.4(a)(2), (c).		0
118(c)	Within 15 days of bid rejection, a bidder may request reconsideration of bid decision or rejection in writing to the Director. Appeals must be accompanied by a statement of reasons.	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0
Subtotal			25 responses	5,580
			$2,754,000 non-hour costs	
	Subpart C—Issuance of OCS Renewable Energy Leases			
200; 224; 231; 235; 236; 238	These sections contain references to information submissions, approvals, requests, applications, plans, payments, etc., the burdens for which are covered elsewhere in part 585.			0
210; 211(a–c); 212 thru 216	Submit nominations and general comments in response to **Federal Register** notices on Request for Interest in OCS Leasing, Call for Information and Nominations (Call), Area Identification, and Notices of Sale. Includes industry, State & local governments.	Not considered IC as defined in 5 CFR 1320.3(h)(4).		0
210; 211(a–c); 212 thru 216	Submit comments and required information in response to **Federal Register** notices on Request for Interest in OCS Leasing, Call for Information and Nominations (Call), Area Identification, and Notices of Sale. Includes industry, State & local governments.	24	1 comment	24
220 thru 223	Submit bid, payments, and required information in response to **Federal Register** Final Sale Notice.	5	1 bid	5
225(b)	Within 10 business days, execute 3 copies of lease form and return to BOEM with required payments, including evidence that agent is authorized to act for bidder; if applicable, submit information to support delay in execution—competitive leases.	1	1 lease execution	1
225(f)	The winning bidder must pay the first 12 months' rent under § 585.503(a) within 45 calendar days after receiving a copy of the executed lease from BOEM.	8	1 payment	8
230; 231(a)	Submit unsolicited request and acquisition fee for a commercial or limited lease	5	1 request	5
231(b)	Submit comments in response to **Federal Register** notice re-interest of unsolicited request for a lease.	24	5 comment	120
231(h)(1)	Within 10 business days of receiving lease documents, execute and return lease; file financial assurance and supporting documentation—noncompetitive leases.	2	1 lease	2

BURDEN TABLE—Continued

Section(s) in 30 CFR 585	Reporting and recordkeeping requirement [1]	Hour burden	Average number of annual responses	Annual burden hours
231(h)(2)	Within 45 days of receiving lease copies, submit payment of the first 12 months' rent	Burdens covered by information collections approved for ONRR 30 CFR Chapter XII.		0
235(b); 236(b)	Request additional time to extend preliminary period of commercial or limited lease, including revised schedule for SAP, COP, or GAP submission.	1	3 requests	3
237(b)	Request lease be dated and effective 1st day of month in which signed	1	1 request	1
238	Submit request for development of commercial lease in phases. Request must be supported with details as to which portions of the lease will be reserved for subsequent phased development.	4	1 request	4
Subtotal			16 responses	173
Subpart D—ROW Grants and RUE Grants for Renewable Energy Activities				
306; 309; 315; 316	These sections contain references to information submissions, approvals, requests, applications, plans, payments, etc., the burdens for which are covered elsewhere in part 585.			0
302(a); 305; 306	Submit copies of a request for a new or modified ROW or RUE and required information, including qualifications to hold a grant, in format specified.	5	1 request	5
307; 308(a)(1)	Submit information in response to **Federal Register** notice of proposed ROW or RUE grant area or comments on notice of grant auction. Comment period will be 30 days.	24	100 comments	2,400
308(a)(2), (b); 316	Submit bid and payments in response to **Federal Register** notice of auction for a ROW or RUE grant. Successful bidder in an auction must pay the first year's rent, as provided in § 585.316.	5	12 bids	60
306, 309	Submit decision to accept or reject terms and conditions of noncompetitive ROW or RUE grant. ROW or RUE grant becomes effective on the date established by BOEM.	2	4 submissions	8
Subtotal			117 responses	2,473
Subpart E—Lease and Grant Administration				
400; 405; 409; 416, 433	These sections contain references to information submissions, approvals, requests, applications, plans, payments, etc., the burdens for which are covered elsewhere in part 585..			0
405(a)	If designated operator is not the lessee or grant holder, they must be identified in the SAP (under § 585.610(a)(3)), COP (under § 585.626(a)(2)), or GAP (under § 585.645(a)(2)), as applicable. If no operator is designated in a SAP, COP, or GAP, BOEM will deem the lessee or grant holder to be the operator.	1	1 designation	1
405(d)	Submit written notice of change of address	Requirement not considered IC under 5 CFR 1320.3(h)(1).		0
405(e); Form BOEM–0006	If designated operator (DO) changes, notify BOEM and identify new DO for BOEM approval within 72 hours.	2	2 notices	4
408 thru 411; Forms BOEM–0002 and BOEM–0003.	Within 90 days after last party executes a transfer agreement, submit copies of a lease or grant assignment application, including originals of each instrument creating or transferring ownership of record title, eligibility and other qualifications; and evidence that agent is authorized to execute assignment, in format specified.	1	2 requests/submissions.	2
413(d)	BOEM will default to using the terms and conditions in the most recently issued lease or grant to be consolidated for the new lease. BOEM will consider requests for modifications on a case-by-case basis and, in its discretion, approve such requests for good cause.	10	10 requests	100
416(a); 420(a), (b); 428(b)	Submit request for suspension and required information/payment no later than 90 days prior to lease or grant expiration.	10	1 request	10
416(b)	If unable to timely submit a COP or GAP, may request a suspension to extend the preliminary period of lease or grant. Request must include a revised schedule for submission of COP or GAP.	250	3 requests	750
426; 652(a); 235(a), (b)	Request lease or grant renewal no later than 180 days before termination date of your limited lease or grant, or no later than 2 years before termination date of operations term of commercial lease. Submit required information.	250	1 request	250
433	After your lease or grant terminates, you must make all payments due, including any accrued rentals and deferred bonuses; and perform any other outstanding obligations under the lease or grant within 6 months.	72	1 submission	72
435; 658(c)(2); Form BOEM–0004.	Submit copies of application to relinquish lease or grant, in format specified. ONRR will bill for outstanding payments.	1	1 submission	1
436; 437	Provide information for reconsideration of BOEM decision to contract or cancel lease or grant area.	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0
Subtotal			22 responses	1,190

BURDEN TABLE—Continued

Section(s) in 30 CFR 585	Reporting and recordkeeping requirement [1]	Hour burden	Average number of annual responses	Annual burden hours
Subpart F—Payments and Financial Assurance Requirements				
An * indicates the primary cites for providing bonds or other financial assurance, and the burdens include any previous or subsequent references throughout part 585 to furnish, replace, or provide additional bonds, securities, or financial assurance (including riders, cancellations, replacements). This subpart contains references to other information submissions, approvals, requests, applications, plans, etc., the burdens for which are covered elsewhere in part 585. In the future BOEM may require electronic filings of certain submissions.				0
500 thru 509; 586.211	Submit payer information, payments and payment information, and maintain auditable records according to ONRR regulations or guidance.	Burden covered by information collections approved for ONRR 30 CFR Chapter XII.		0
506	Submit documentation of the gross annual generation of electricity produced by the generating facility on the lease—use same form as authorized by the EIA. Submit operating fee payments to ONRR.	Burden covered under DOE/EIA OMB Control Number 1905–0129		0
510; 506(c)(1)	Submit to the BOEM Director, an application and required information for waiver or reduction of rental or other payment..	3	1 submission	3
*516; 525(a) thru (f)	Execute and provide a bond or other authorized financial assurance in the amount of 12 months' rent.	3	6 bonds	18
*516(a)(1), (b), (c); 517; 525(a) thru (f).	Execute and provide commercial lease supplemental bonds in amounts of 12 months' rent.	3	6 bonds	18
516(a)(2),(3); 521(c)	Execute and provide decommissioning bond or other financial assurance; schedule for providing the appropriate amount.	3	6 bonds	18
517(b)(1)	Submit comments on proposed adjustment to bond amounts	5	1 submission	5
517(b)(2)	Request bond reduction and submit evidence to justify	5	6 requests	30
*520; 521; 525(a) thru (e); Form BOEM–0005.	Execute and provide a bond or other authorized financial assurance in the amount of 12 months' rent.	3	6 bonds	18
525(g)	Surety notice to lessee or ROW/RUE grant holder and BOEM within 5 business days after initiating surety insolvency or bankruptcy proceeding, or Treasury decertifies surety.	2	1 surety notices	2
*526 Form BOEM–0005	In lieu of surety bond, pledge other types of securities, including authority for BOEM to sell and use proceeds and submit required information (1 hour for form).	2	1 pledge	2
526(c)	Provide annual certified statements describing the nature and market value, including brokerage firm statements/reports.	10	1 statement	10
*527	Demonstrate financial worth/ability to carry out present and future financial obligations, annual updates, and related or subsequent actions/records/reports, etc.	10	11 demonstrations	110
528	Provide third-party indemnity; financial information/statements; additional bond information; executed guarantor agreement and supporting information/documentation/agreements.	10	1 submission	10
528(d)(5)	If you or your operator fail to comply with any law, term, or regulation, your guarantor must either take corrective action or provide, within 7 calendar days or other agreed-upon time period, sufficient funds, up to the value of the guaranty, for BOEM to complete corrective action.	2	2 guarantor actions.	4
528(d)(6); 532(b)	Guarantor/Surety requests BOEM terminate period of liability and notifies lessee or ROW/RUE grant holder, etc.	1	1 request	1
528(e)	Before the termination of your guaranty, you must provide an acceptable replacement in the form of a bond or other security.	3	6 submissions	18
*529	In lieu of surety bond, request authorization to establish decommissioning account, including written authorizations and approvals associated with account..	2	1 request	2
530	Notify BOEM promptly (within 3 business days) of lapse in bond or other security/action filed alleging lessee, surety or guarantor et al is insolvent or bankrupt.	5	1 notice	5
531	If the value of your financial assurance is reduced below the required financial assurance amount because of a default or any other reason, you must provide additional financial assurance sufficient to meet the requirements of this subpart within 45 days or within a different period as specified by BOEM.	1	1 submission	1
533(a)(2)	Provide agreement from surety issuing new bond to assume all or portion of outstanding liabilities.	3	1 submission	3
536(b)	Within 10 business days following BOEM notice, lessee, grant holder, or surety agrees to and demonstrates to BOEM that lease will be brought into compliance.	16	1 demonstration	16
Subtotal			61 responses	294
Subpart G—Plans and Information Requirements				
Two ** indicate the primary cites for Site Assessment Plans (SAPs), Construction and Operations Plans (COPs), and General Activities Plans (GAPs); and the burdens include any previous or subsequent references throughout part 585 to submission and approval. This subpart contains references to other information submissions, approvals, requests, applications, plans, etc., the burdens for which are covered elsewhere in part 585.				0
**600(a)(1); 601(a), (b); 605 thru 614; 238.	Within time specified after issuance of a competitive lease or grant, or within time specified after determination of no competitive interest, submit copies of SAP, including required information to assist BOEM to comply with NEPA/CZMA such as hazard info, air quality, SEMS, and all required information, certifications, requests, etc., in format specified.	192	1 SAP	192
**600(a)(2); 601(b); 606(b); 618; 620 thru 628; 632; 633.	If requesting an operations term for commercial lease, within time specified before the end of site assessment term, submit copies of COP, or FERC license application, including required information to assist BOEM to comply with NEPA/CZMA such as hazard info, air quality, SEMS, and all required information, surveys and/or their results, reports, certifications, project easements, supporting data and information, requests, etc., in format specified.	800	2 COP submittals	1,600

BURDEN TABLE—Continued

Section(s) in 30 CFR 585	Reporting and recordkeeping requirement [1]	Hour burden	Average number of annual responses	Annual burden hours
		3,848	8 projects complying with terms and conditions.	[1] 30,784
** 600(a)(3); 601(c); 640 thru 648; 651; 238.	Within time specified after issuance of a competitive lease or grant, or within time specified after determination of no competitive interest, submit copies of GAP, including required information to assist BOEM to comply with NEPA/CZMA such as hazard info, air quality, SEMS, and all required information, surveys and reports, certifications, project easements, requests, etc., in format specified.	192	1 GAP	192
** 601(b); 622; 628(f)(2); 634; 658(c)(3).	Submit revised or modified COPs, including project easements, and all required additional information.	40	1 revised or modified COP.	40
** 613(a), (d), (e); 617	Submit revised or modified SAPs and required additional information	50	1 revised or modified SAP.	50
612; 647	Submit copy of SAP or GAP consistency certification and supporting documentation, including noncompetitive leases.	1	2 leases	2
615	Prepare and submit to BOEM a report annually on November 1st of each year that summarizes your site assessment activities and the results of those activities.	43	2 reports	86
617(a)	Notify BOEM in writing before conducting any site assessment activities not approved, or provided for, in SAP; provide additional information if requested.	10	25 notices	250
618(c)	If, following the technical and environmental review of your submitted COP, BOEM determines that such facilities may not remain in place, you must initiate the decommissioning process, as provided in 30 CFR part 285, subpart I.	24	1 action	24
631	Request deviation from approved COP schedule	2	6 requests	12
633(b)	Submit annual, or at other time periods as BOEM determines, COP compliance certification, effectiveness statement, recommendations, reports, supporting documentation, etc.	45	1 certification	45
634(a)	Notify BOEM in writing before conducting any activities not approved or provided for in COP, and provide additional information if requested.	10	1 notice	10
** 642(b); 648; 655; 658(c)(3)	Submit revised or modified GAPs and required additional information	50	1 revised or modified GAP.	50
651	Before beginning construction of OCS facility described in GAP, complete survey activities identified in GAP and submit initial findings. [This only includes the time involved in submitting the findings; it does not include the survey time as these surveys would be conducted as good business practice.].	200	1 survey/report	200
653	Notify BOEM in writing within 30 days of completing installation activities under the GAP.	4	2 notices	8
653	Submit annual report summarizing findings from activities conducted under approved GAP.	43	4 reports	172
655(a)	Notify BOEM in writing before conducting any activities not approved or provided for in GAP, and provide additional information if requested.	10	1 notice	10
656	Notify BOEM any time approved GAP activities cease without an approved suspension.	4	4 notices	16
658(c)(1)	If after construction, cable or pipeline deviate from approved COP or GAP, notify affected lease operators and ROW/RUE grant holders of deviation and provide BOEM evidence of such notices.	3	1 notice/evidence	3
659, 700	Determine appropriate air quality modeling protocol, conduct air quality modeling, and submit 3 copies of air quality modeling report and 3 sets of digital files as supporting information to plans.	70	5 reports/information.	350
Subtotal			71 responses	34,096
Subpart H—Environmental and Safety Management, Inspections, and Facility Assessments for Activities Conducted Under SAPs, COPs, and GAPs				
701(c), (d)	Notify BOEM if endangered or threatened species, or their designated critical habitat, may be in the vicinity of the lease or grant or may be affected by lease or grant activities.	1	150 notices	150
701(e), (f)	Submit information to ensure proposed activities will be conducted in compliance with the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA); including agreements and mitigating measures designed to avoid or minimize adverse effects and incidental take of endangered species or critical habitat.	18	3 submissions	54
702(b), (c)	If requested, conduct further archaeological investigations, and submit report/information.	10	4 reports	40
702(d)	If applicable, submit payment for BOEM costs in carrying out National Historic Preservation Act responsibilities.	.5	2 payments	1
703	If required, conduct additional surveys to define boundaries and avoidance distances and submit report.	15	2 surveys/reports	30
605; 651	Submit safety management system description with the SAP, COP, or GAP	16	2 submissions	32
Subtotal			163 responses	307
30 CFR 586—RUEs for Energy- and Marine-Related Activities Using Existing OCS Facilities				
200–202	Contact owner of existing facility and/or lessee of the area to reach preliminary agreement to use facility and obtain concurring signatures; submit request to BOEM for an alternative use RUE, including all required information/modifications.	36	1 request	36
203(a)–(c)	Submit indication of competitive interest in response to **Federal Register** notice	4	1 submission	4
203(c)	Submit description of proposed activities and required information in response to **Federal Register** notice of competitive offering.	5	3 submissions	15
203(f)	Lessee or owner of facility submits decision to accept or reject proposals deemed acceptable by BOEM.	1	1 submission	1
210(c)	Request renewal of Alternate Use RUE	6	1 request	6

BURDEN TABLE—Continued

Section(s) in 30 CFR 585	Reporting and recordkeeping requirement [1]	Hour burden	Average number of annual responses	Annual burden hours
211; 216(b)	Provide financial assurance as BOEM determines in approving RUE for an existing facility, including additional security if required.	1	1 submission	1
213	Submit request for assignment of an alternative use RUE for an existing facility, including all required information..	1	1 request	1
215	Request relinquishment of RUE for an existing facility	1	1 request	1
Subtotal			10 responses	65
Total burden			485 responses	44,178
			$2,754,000 Non-hour cost burdens	

[1] The annual burden hour reflects the projects in construction phase complying with the COP terms and conditions annually.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Karen Thundiyil,

Director, Office of Regulatory Affairs, Bureau of Ocean Energy Management.

[FR Doc. 2025–07186 Filed 4–24–25; 8:45 am]

BILLING CODE 4340–98–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1379]

Certain Video Capable Electronic Devices, Including Computers, Streaming Devices, Televisions, Cameras, and Components and Modules Thereof; Notice of a Commission Determination To Ratify the Prior Commission Actions in This Investigation and To Grant a Joint Motion To Terminate the Investigation on the Basis of Settlement; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined to ratify the prior Commission actions in this investigation and to grant a joint motion to terminate the investigation in its entirety based on settlement and patent agreements.

FOR FURTHER INFORMATION CONTACT: Joelle Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2593. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 6, 2023, based on a complaint filed by Nokia Technologies Oy and Nokia Corporation, both of Espoo, Finland (collectively, ''Complainants'' or ''Nokia''). 88 FR 84832–33 (Dec. 6, 2023). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain video capable electronic devices, including computers, streaming devices, televisions, cameras, and components and modules thereof by reason of infringement of claims 1–3, 6, 7, 9–12, 15–17, 20–25, 28–30, 32–34, 36, 39–41, 43, 44, 47–49, 51–54, 58–60, and 62–65 of U.S. Patent No. 7,532,808 (''the '808 patent'') and claims 1–22 of U.S. Patent No. 8,204,134. (''the '134 patent''). *Id.* at 84832. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents HP, Inc. of Palo Alto, California; and Amazon.com, Inc. and Amazon.com Services LLC, both of Seattle, Washington (collectively, ''Respondents''). *Id.* The Office of Unfair Import Investigations (''OUII'') is participating in the investigation. *Id.*

The Commission previously determined not to review initial determinations terminating the investigation as to claims 2, 3, 6, 9, 11, 12, 15, 17, 20, 23–25, 28, 30, 32–34, 36, 39, 41, 43, 44, 47, 49, 51–54, 58–60, and 62–65 of the '808 patent and claims 1–8, 10, 12, and 16–22 of the '134 patent. *See* Order No. 20 (Feb. 2, 2024), *unreviewed by* Comm'n Notice (Feb. 15, 2024); Order No. 44 (June 11, 2024), *unreviewed by* Comm'n Notice (July 3, 2024); Order No. 52 (July 10, 2024), *unreviewed by* Comm'n Notice (Aug. 5, 2024).

On January 29, 2025, the ALJ issued the Final ID finding a violation of section 337 by Amazon with respect to the '808 patent, and no violation with respect to the '134 patent. The ALJ also issued a recommended determination on the public interest, remedy, and bond.

On February 10, 2025, each party filed a petition for review. On February 18, 2025, Nokia and Amazon filed responses opposing each other's petitions. That same day, OUII filed a combined opposition to Nokia's and Amazon's petitions; neither Amazon nor Nokia responded to OUII's petition.

On April 1, 2025, Nokia and Amazon filed a Joint Unopposed Motion for Temporary Suspension of Pending Deadlines. The motion stated that Nokia and Amazon had signed a settlement agreement resolving all issues between the parties related to this litigation but needed additional time to finalize and file termination papers, including creating a public version of the settlement agreement as required by 19 CFR 210.21(b)(1). The parties requested that the Commission temporarily suspend the pending deadlines in the investigation until and through April 8, 2025. The Commission granted the motion, stayed the investigation, and extended the target date for determining whether to review the Final ID to April 22, 2025.

On April 8, 2025, Nokia and Amazon filed a Joint Motion to Terminate the Investigation in Its Entirety Based on

Settlement and Patent Agreements. The parties submitted the executed settlement and patent agreements as exhibits to the motion. Public versions of the executed settlement and patent agreements were also submitted as exhibits to the motion. On April 11, 2025, OUII filed a response to the motion, indicating OUII supported granting the motion provided that the private parties revised the redactions to the public version of the patent agreement attached as Exhibit 2 to the motion. On April 16, 2025, the private parties submitted an Amended Public Exhibit 2 that ''complies with [OUII's] recommendation.''

Before reaching the merits of the private parties' motion, in an abundance of caution, the Commission, after having fully reviewed the underlying facts and decisions, has determined to ratify all prior Commission actions taken in this investigation, including but not limited to its determination to institute this investigation, the delegation of this investigation to the ALJ for appropriate proceedings, initial determinations, and findings on the public interest, the naming of OUII as a party to this investigation, and the Commission's prior determinations declining to review the initial determinations of the presiding ALJ regarding termination of claims, extending the target date, and the termination of HP as a respondent. 88 FR 84832–33 (Dec. 6, 2023); Comm'n Notice (Feb. 15, 2024); Comm'n Notice (July 3, 2024); Comm'n Notice (Aug. 5, 2024); Comm'n Notice (Jan. 6, 2025); Comm'n Notice (Jan. 6, 2025); Comm'n Notice (Jan. 27, 2025); (Mar. 28, 2025); (April 3, 2025). *Advanced Disposal Services East, Inc.* v. *N.L.R.B.,* 820 F.3d 592, 602–06 (3d Cir. 2016). Amazon does not dispute that the Commission currently has quorum under its statute, 19 U.S.C. 1330(c)(6).

The Commission has determined that the motion, including the revised public version of the settlement agreement, complies with the requirements of Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)), and that there are no extraordinary circumstances that would prevent the requested termination. The Commission also finds that granting the motion would not be contrary to the public interest pursuant to Commission Rule 210.50(b)(2) (19 CFR 210.50(b)(2)). Accordingly, the Commission hereby grants the motion.

This investigation is terminated.

The Commission vote for this determination took place on April 22, 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: April 22, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–07169 Filed 4–24–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1398]

Certain Smart Wearable Devices, Systems, and Components Thereof; Notice of Request for Submissions on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on April 18, 2025, the presiding administrative law judge (''ALJ'') issued a Final Initial Determination on Violation (''FID'') of Section 337. The FID includes a Recommended Determination on remedy and bonding should a violation be found in the above-captioned investigation. The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public and interested government agencies only.

FOR FURTHER INFORMATION CONTACT: Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2043. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry. (19 U.S.C. 1337(d)(1)).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically: a limited exclusion order and cease and desist orders directed to certain smart ring wearable devices, systems, and components thereof imported, sold for importation, and/or sold after importation by respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., Ultrahuman Healthcare SP LLC, RingConn LLC, and Shenzhen Ninenovo Technology Limited. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public and interested government agencies are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ's Recommended Determination on Remedy and Bonding issued on April 18, 2025. Comments should address whether issuance of the recommended remedial orders in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on May 22, 2025.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above pursuant to 19 CFR 210.4(f). Submissions should refer to the investigation number (''Inv. No. 337–TA–1398'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative Protective Order. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing and must be served in accordance with Commission Rule 210.4(f)(7)(ii)(A) (19 CFR 210.4(f)(7)(ii)(A)). All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of 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: April 22, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–07170 Filed 4–24–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1523]

Importer of Controlled Substances Application: Royal Emerald Pharmaceuticals

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Royal Emerald Pharmaceuticals has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before May 27, 2025. Such persons may also file a written request for a hearing on the application on or before May 27, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on February 25, 2025, Royal Emerald Pharmaceuticals, 14011 Palm Drive, Building B, Desert Hot Springs, California 92240–6845, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols ...	7370	I

The company plans to import immature plants to use as starting/raw materials to continue cultivation of Marihuana under their Bulk Manufacturing registration. All products and materials will be developed as botanical raw materials or Active Pharmaceutical Ingredients for Drug Enforcement Administration-approved legitimate medical, scientific, research, and/or industrial purposes. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–07155 Filed 4–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1520]

Bulk Manufacturer of Controlled Substances Application: SpecGx LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: SpecGx LLC has applied to be registered as a bulk manufacturer of basic class(es) of controlled

substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before June 24, 2025. Such persons may also file a written request for a hearing on the application on or before June 24, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on February 17, 2025, SpecGx LLC, 3600 North 2nd Street, Saint Louis, Missouri 63147–3457, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid	2010	I
Tetrahydrocannabinols	7370	I
Psilocybin	7437	I
Codeine-N-oxide	9053	I
Dihydromorphine	9145	I
Difenoxin	9168	I
Morphine-N-oxide	9307	I
Normorphine	9313	I
Alphamethadol	9605	I
Betamethadol	9609	I
Norlevorphanol	9634	I
Acetyl Fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)	9821	I
Butyryl Fentanyl	9822	I
Fentanyl related compounds as defined in 21 CFR 1308.11(h)	9850	I
Amphetamine	1100	II
Methamphetamine	1105	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Nabilone	7379	II
ANPP (4-Anilino-N-phenethyl-4-piperidine)	8333	II
Phenylacetone	8501	II
Codeine	9050	II
Dihydrocodeine	9120	II
Oxycodone	9143	II
Hydromorphone	9150	II
Diphenoxylate	9170	II
Ecgonine	9180	II
Hydrocodone	9193	II
Levorphanol	9220	II
Isomethadone	9226	II
Meperidine	9230	II
Meperidine intermediate-A	9232	II
Meperidine intermediate-B	9233	II
Meperidine intermediate-C	9234	II
Methadone	9250	II
Methadone intermediate	9254	II
Dextropropoxyphene, bulk (non-dosage forms)	9273	II
Morphine	9300	II
Oripavine	9330	II
Thebaine	9333	II
Opium tincture	9630	II
Opium, powdered	9639	II
Oxymorphone	9652	II
Noroxymorphone	9668	II
Alfentanil	9737	II
Remifentanil	9739	II
Sufentanil	9740	II
Tapentadol	9780	II
Fentanyl	9801	II

The company plans to bulk manufacture the listed controlled substances for sale to its customers as Active Pharmaceutical Ingredients and Analytical Research Standards for formulation and analytical development purposes. In reference to drug code 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture this drug code as synthetic. No other activity for

this drug code is authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–07154 Filed 4–24–25; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Liberty Pharmacy Inc.; Metro Care Pharmacy Inc.; Ritecare Pharmacy Inc.; United Pharmacy Upper Darby Inc.; Decision and Order

I. Introduction

On October 31, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause and Immediate Suspension of Registrations (OSC/ISO) to Liberty Pharmacy Inc., Metro Care Pharmacy Inc., RiteCare Pharmacy Inc., and United Pharmacy Upper Darby Inc., of Philadelphia, Pennsylvania (collectively, Registrants). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 10. The OSC/ISO informed Registrants of the immediate suspension of their DEA Certificates of Registration, Nos. FL2056908, FM2936120, FR5934244, and FU0598790, pursuant to 21 U.S.C. 824(d), alleging that Registrants' continued registration constitutes '' 'an imminent danger to the public health or safety.' '' *Id.* at 1–2 (quoting 21 U.S.C. 824(d)). The OSC/ISO also proposed the revocation of Registrants' registrations, alleging that Registrants' continued registration is inconsistent with the public interest. *Id.* at 2 (citing 21 U.S.C. 823(g)(1), 824(a)(4)).[1]

Specifically, the OSC/ISO alleged that between February 1, 2019, and August 30, 2023, Registrants failed to maintain accurate records of their purchasing and dispensing of controlled substances, in violation of federal and Pennsylvania state law. *Id.* at 2–3, 5–8 (citing 21 CFR 1304.04(a), 1304.11(a)–(c), 1304.21(a); 35 Pa. Cons. Stat. Ann. secs. 780–112(a)–(c), 780–113(a)(21)).

The OSC/ISO notified Registrants of their right to file with DEA a written request for hearing and that if they failed to file such a request, they would be deemed to have waived their right to a hearing and be in default. RFAAX 2, at 9 (citing 21 CFR 1301.43). Here, Registrants did not request a hearing. RFAA, at 2.[2] ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC/ISO].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrants' default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1–2; *see also* 21 CFR 1316.67.

II. Applicable Law

A. The Alleged Statutory and Regulatory Violations

As discussed above, the OSC/ISO alleges that Registrants violated provisions of the CSA and its implementing regulations. As the Supreme Court stated in *Gonzales* v. *Raich,* ''the main objectives of the CSA were to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances. . . . To effectuate these goals, Congress devised a closed regulatory system making it unlawful to . . . dispense[ ] or possess any controlled substance except in a manner authorized by the CSA.'' 545 U.S. 1, at 12–13 (2005). In maintaining this closed regulatory system, ''[t]he CSA and its implementing regulations set forth strict requirements regarding registration, . . . drug security, and recordkeeping.'' *Id.* at 14.

Here, the OSC/ISO's allegations concern the CSA's ''strict requirements regarding registration . . . drug security, and recordkeeping'' and, therefore, go to the heart of the CSA's ''closed regulatory system'' specifically designed ''to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances,'' and ''to prevent the diversion of drugs from legitimate to illicit channels.'' *Id.* at 12–14, 27.

B. Improper Dispensing, Recordkeeping, and Unaccounted for Controlled Substances

According to DEA's implementing regulations, pharmacies must maintain ''a complete and accurate record of each controlled substance . . . sold . . . .'' 21 CFR 1304.21(a). This includes conducting and maintaining an ''initial inventory . . . of all stocks of controlled substances on hand on the date [the pharmacy] first engages in the . . . dispensing of controlled substances,'' as well as a ''biennial inventory . . . of all stocks of controlled substances on hand.'' 21 CFR 1304.11(a)–(c). Pharmacies must retain these inventories ''for at least 2 years from the date of such inventory or records, for inspection and copying.'' 21 CFR 1304.04.

Pennsylvania law also requires pharmacies to keep accurate records and maintain proper inventories regarding the purchase, sale, or dispensing of any controlled substances. 35 Pa. Cons. Stat. Ann. sec. 780–112(a)–(c). In Pennsylvania, it is unlawful for a pharmacy to fail to ''make, keep or furnish any record, notification, order form, statement, invoice or information'' relating to the purchasing or dispensing of a controlled substance. *Id.* sec. 780–113(a)(21).

III. Findings of Fact

The Agency finds that, in light of Registrants' default, the factual allegations in the OSC/ISO are deemed admitted.[3] Registrants are deemed to

[1] According to Agency records, Metro Care Pharmacy's registration expired on January 31, 2024. The fact that a registrant allows its registration to expire during the pendency of an administrative enforcement proceeding does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC/ISO to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–79 (2019).

[2] Based on the Government's submissions in its RFAA dated February 9, 2024, the Agency finds that service of the OSC/ISO on Registrants was adequate. Specifically, the included Declaration from a DEA Special Agent asserts that on November 1, 2023, the OSC/ISO was personally served at all of Registrants' registered addresses during the execution of simultaneous search warrants at each location. RFAAX 3, at 2. The Special Agent noted in the Declaration that an individual who serves in a management role for all four pharmacies was physically present at the location of Liberty Pharmacy, Inc. during the execution of the search warrant and service of the OSC/ISO. *Id.* This individual received a copy of the OSC/ISO as well as instructions from DEA personnel. *Id.*

[3] Registrants are deemed to have admitted and the Agency finds that Registrants share common management and control. RFAAX 2, at 4. The following facts, which illustrate that F.E. exercises management and control over all four entities, are deemed admitted: (1) ''Liberty Pharmacy, Metro Care Pharmacy, and United Pharmacy share common corporate management as reflected in their state corporate filings . . .''; (2) at RiteCare Pharmacy, DEA investigators observed an information sheet displaying proprietary information for Liberty Pharmacy, Metro Care Pharmacy, and United Pharmacy, such as contact information and relevant licensing numbers; (3) regarding their controlled substance ordering, Registrants all ordered almost exclusively large quantities of alprazolam tablets and promethazine with codeine bottles; (4) DEA's search of trash from Liberty Pharmacy revealed controlled substance order invoices for suppliers to RiteCare Pharmacy, Metro Care Pharmacy, and United Pharmacy, as well as cardboard boxes originally shipped to RiteCare Pharmacy, Metro Care Pharmacy, and United Pharmacy; (5) DEA's interview with an employee of a distributor company supplying Registrants revealed the commonality of management between Registrants; (6) DEA's administrative subpoenas issued to Registrants'

have admitted that from February 1, 2019, until at least August 30, 2023, Liberty Pharmacy failed to maintain accurate records of its purchasing and dispensing of controlled substances. *Id.* at 6. For example, Registrants admit that there were significant discrepancies between Liberty's controlled substance order invoices and the data that Liberty reported to Pennsylvania's PDMP. *Id.* at 6–7. Registrants admit that a comparison of Liberty's PDMP data to Liberty's controlled substance order invoices revealed discrepancies of: (1) approximately 283,400 dosage units of alprazolam 1 mg, (2) approximately 573,200 dosage units of alprazolam 2 mg, and (3) approximately 3,354 bottles of promethazine with codeine. *Id.* at 7. These discrepancies amounted to an approximately 100% variance between the PDMP data and Liberty's invoices. *Id.* Registrant admits that there were also significant discrepancies for Metro Care Pharmacy, United Pharmacy, and RiteCare Pharmacy,[4] and that all four pharmacies failed to maintain accurate records of their purchasing and dispensing of controlled substances. *Id.* at 5–8.

Accordingly, the Agency finds substantial record evidence that each Registrant failed to maintain accurate records of its purchasing and dispensing of controlled substances.

IV. Discussion

A. The Five Public Interest Factors

Under Section 304 of the CSA, ''[a] registration . . . to . . . distribute[ ] or dispense a controlled substance . . . may be suspended or revoked by the Attorney General upon a finding that the registrant . . . has committed such acts as would render his registration under . . . [21 U.S.C. 823] inconsistent with the public interest as determined by such section.'' 21 U.S.C. 824(a)(4). In the case of a ''practitioner,'' which is defined in 21 U.S.C. 802(21) to include a ''pharmacy,'' Congress directed the Attorney General to consider five factors in making the public interest determination. 21 U.S.C. 823(g)(1)(A–E).[5] The five factors are considered in the disjunctive. *Gonzales* v. *Oregon,* 546 U.S. at 292–93 (2006) (Scalia, J., dissenting) (''It is well established that these factors are to be considered in the disjunctive,'' citing *In re Arora,* 60 FR 4447, 4448 (1995)); *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). Each factor is weighed on a case-by-case basis. *Morall* v. *Drug Enf't Admin.,* 412 F.3d 165, 173–74 (D.C. Cir. 2005). Any one factor, or combination of factors, may be decisive. *Penick Corp.* v. *Drug Enf't Admin.,* 491 F.3d 483, 490 (D.C. Cir. 2007); *Morall,* 412 F.3d. at n.2; *David H. Gillis, M.D.,* 58 FR 37507, 37508 (1993).

In this matter, while all of the 21 U.S.C. 823(g)(1) factors have been considered, the Agency finds that the Government's evidence in support of its *prima facie* case is confined to Factors B and D.[6] *See* RFAAX 1, at 4. Moreover, the Government has the burden of proof in this proceeding. 21 CFR 1301.44.

Here, the Agency finds that the Government's evidence satisfies its *prima facie* burden of showing that each Registrant's continued registration would be ''inconsistent with the public interest.'' 21 U.S.C. 823(g)(1).

A. Allegation That Registrants' Registrations are Inconsistent With the Public Interest

Factors B and/or D—Registrants' Experience in Dispensing Controlled Substances and Compliance With Applicable Laws Related to Controlled Substances

Evidence is considered under Public Interest Factors B and D when it reflects compliance or non-compliance with federal and local laws related to controlled substances and experience dispensing controlled substances. 21 U.S.C. 823(g)(1)(B) and (D); *see also Kareem Hubbard, M.D.,* 87 FR 21156, 21162 (2022). Here, as found above, Registrant is deemed to have admitted and the Agency finds that between February 1, 2019, and August 30, 2023, Registrants failed to maintain accurate records of their purchasing and dispensing of controlled substances. RFAAX 2, at 5–8. Accordingly, the Agency finds substantial record evidence that Registrants violated federal and state law, namely 21 CFR 1304.04(a), 1304.11(a)–(c), 1304.21(a); and 35 Pa. Cons. Stat. Ann. secs. 780–112(a)–(c), 780–113(a)(21).[7]

Accordingly, the Agency finds that Factors B and D weigh in favor of revocation of Registrants' registrations and thus finds Registrants' continued registration to be inconsistent with the public interest. The Agency further finds that Registrants failed to provide any evidence to rebut the Government's *prima facie* case.

V. Sanction

Here, the Government has met its *prima facie* burden of showing that Registrants' continued registration is inconsistent with the public interest due to their numerous violations pertaining to controlled substance dispensing and recordkeeping. Accordingly, the burden shifts to Registrants to show why they can be entrusted with registration. *Morall,* 412 F.3d. at 174; *Jones Total Health Care Pharmacy, LLC* v. *Drug Enf't Admin.,* 881 F.3d 823, 830 (11th Cir. 2018); *Garrett Howard Smith, M.D.,*

suppliers reflected F.E.'s name being associated as a generic buyer for all of them; and (7) ''[n]one of [Registrants] appeared to have a customer base that would support the significant ordering of controlled substances from [Registrants'] distributors.'' RFAAX 2, at 4–5.

Given the fact that the same individual exercises management and control over the entities, the misconduct of any entity is relevant to the determination of whether the others can be entrusted with a DEA registration. *See Morning Star Pharmacy & Med. Supply,* 85 FR 51045, 51062 (2020)) (''Due to the commonality of . . . management, and key employees between Respondent Pharmacy and Ceder Hill [Pharmacy], any misconduct related to controlled substances at Cedar Hill is relevant to the determination of whether Respondent pharmacy can be entrusted with a registration.''); RFAAX 2, at 4.

[4] Registrants admit that when comparing Metro Care Pharmacy's PDMP data to Metro Care's invoices, there was a discrepancy of approximately 296,500 dosage units of alprazolam 1 mg, 574,320 dosage units of alprazolam 2 mg, and 3,150 bottles of promethazine with codeine. These discrepancies amounted to an approximately 100% variance between the PDMP data and Metro Care's invoices.

Registrants admit that when comparing United Pharmacy's PDMP data to United's invoices, there was a discrepancy of approximately 300,300 dosage units of alprazolam 1 mg, 554,780 dosage units of alprazolam 2 mg, and 2,841 bottles of promethazine with codeine. These discrepancies amounted to an approximately 99–100% variance between the PDMP data and United's invoices.

Registrants admit that when comparing RiteCare Pharmacy's PDMP data to RiteCare's invoices, there was a discrepancy of approximately 283,400 dosage units of alprazolam 1 mg, 573,200 dosage units of alprazolam 2 mg, and 2,679 bottles of promethazine with codeine. These discrepancies amounted to an approximately 100% variance between the PDMP data and United's invoices.

[5] The five factors of 21 U.S.C. 823(g)(1)(A–E) are:

(A) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(B) The [registrant's] experience in dispensing, or conducting research with respect to controlled substances.

(C) The [registrant's] conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(D) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(E) Such other conduct which may threaten the public health and safety.

[6] The Agency has carefully considered the entire transmitted record, and this Decision/Order is the result of its adjudication of that record in its entirety.

[7] The OSC/ISO alleges that Registrants violated additional state statutes related to their failure to maintain adequate records and their failure to adequately report their dispensing of controlled substances to the Pennsylvania PDMP. *See* RFAAX 2, at 3 (citing 35 Pa. Cons. Stat. Ann. secs. 872.7(a), (c), 780–113(a)(12)). However, neither the OSC/ISO nor the RFAA contains sufficient analysis to allow the Agency to adjudicate these allegations. However, the Agency finds that there is substantial record evidence that Registrants' recordkeeping was extremely deficient and violated federal and state law, which is more than sufficient to support the Government's requested sanction of revocation under these circumstances.

83 FR 18882, 18904 (2018); *supra* sections III and IV.

The issue of trust is necessarily a fact-dependent determination based on the circumstances presented by the individual registrant. *Jeffrey Stein, M.D.,* 84 FR 46968, 46972 (2019); *see also Jones Total Health Care Pharmacy,* 881 F.3d at 833. Moreover, as past performance is the best predictor of future performance, DEA Administrators have required that a registrant who has committed acts inconsistent with the public interest must accept responsibility for those acts and demonstrate that he will not engage in future misconduct. *Jones Total Health Care Pharmacy,* 881 F.3d at 833; *ALRA Labs, Inc.* v. *Drug Enf't Admin.,* 54 F.3d 450, 452 (7th Cir. 1995). A registrant's acceptance of responsibility must be unequivocal. *Jones Total Health Care Pharmacy,* 881 F.3d at 830–31. In addition, a registrant's candor during the investigation and hearing has been an important factor in determining acceptance of responsibility and the appropriate sanction. *Id.* Further, the Agency has found that the egregiousness and extent of the misconduct are significant factors in determining the appropriate sanction. *Id.* at 834 & n.4. The Agency has also considered the need to deter similar acts by the registrant and by the community of registrants. *Jeffrey Stein, M.D.,* 84 FR at 46972–73.

Here, Registrants did not timely or properly request a hearing and were deemed to be in default. 21 CFR 1301.43(c)(1), (e), (f)(1); RFAA, at 1–2. To date, Registrants have not filed a motion with the Office of the Administrator to excuse the default. 21 CFR 1301.43(c)(1). Registrants have thus failed to answer the allegations contained in the OSC and have not otherwise availed themselves of the opportunity to refute the Government's case. As such, Registrants have made no representations as to their future compliance with the CSA nor made any demonstration that they can be entrusted with registration. Moreover, the evidence presented by the Government shows that Registrants violated the CSA, further indicating that Registrants cannot be entrusted.

Accordingly, the Agency will order the revocation of Registrants' registrations.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a) and 21 U.S.C. 823(g)(1), I hereby revoke DEA Certificates of Registration Nos. FL2056908, FM2936120, FR5934244, and FU0598790 issued to Liberty Pharmacy Inc., Metro Care Pharmacy Inc., RiteCare Pharmacy Inc., and United Pharmacy Upper Darby Inc. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a) and 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Liberty Pharmacy Inc., Metro Care Pharmacy Inc., RiteCare Pharmacy Inc., and/or United Pharmacy Upper Darby Inc. to renew or modify the named registrations, as well as any other pending application of Liberty Pharmacy Inc., Metro Care Pharmacy Inc., RiteCare Pharmacy Inc., and/or United Pharmacy Upper Darby Inc. for additional registration in Pennsylvania. This Order is effective May 27, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on April 18, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–07175 Filed 4–24–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Syed Warsi, M.D.; Decision and Order

On August 25, 2022, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Syed Warsi, M.D., of North Aurora, Illinois (Registrant). Request for Final Agency Action (RFAA), Appendix (RFAAX) A, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. BW8048022, alleging that Registrant's registration should be revoked because Registrant is ''currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in Illinois, the jurisdiction in which [he is] registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).[1]

The Agency makes the following findings of fact based on the uncontroverted evidence submitted by the Government in its RFAA dated October 12, 2023.[2]

Findings of Fact

On July 13, 2022, the Illinois Department of Financial and Professional Regulation suspended Registrant's Illinois medical license and Illinois controlled substance license. RFAAX C, at 4–5. According to Illinois's online records, of which the Agency takes official notice, Registrant's Illinois medical license and Illinois controlled substance license both remain suspended.[3] Illinois Department of Financial and Professional Regulation License Search, *https://online-dfpr.micropact.com/lookup/licenselookup.aspx/* (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice medicine nor to handle controlled substances in Illinois, the state in which he is registered with DEA.[4]

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to

[1] According to Agency records, Registrant's registration expired on May 31, 2023. The fact that a registrant allows his registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–79 (2019).

[2] Based on the Declaration from a DEA Diversion Investigator, the Agency finds that the Government's service of the OSC on Registrant was adequate. RFAAX B, at 1. Further, based on the Government's assertions in its RFAA, the Agency finds that more than thirty days have passed since Registrant was served with the OSC and Registrant has neither requested a hearing nor submitted a corrective action plan and therefore has waived any such rights. RFAA, at 2; *see also* 21 CFR 1301.43 and 21 U.S.C. 824(c)(2).

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

[4] Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' The material fact here is that Registrant, as of the date of this decision, is not licensed to practice medicine nor to handle controlled substances in Illinois. Accordingly, Registrant may dispute the Agency's finding this fact by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*

suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371, 71372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).[5]

Pursuant to the Illinois Controlled Substances Act, a ''practitioner'' means ''a physician licensed to practice medicine in all its branches . . . or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.'' 720 Ill. Comp. Stat. 570/102(kk) (2024). Further, the Illinois Controlled Substances Act requires that ''[e]very person who manufactures, distributes, or dispenses any controlled substances . . . must obtain a registration issued by the Department of Financial and Professional Regulation in accordance with its rules.'' *Id.* 570/302(a). The Illinois Controlled Substances Act also authorizes the Department of Financial and Professional Regulation to discipline a practitioner holding an Illinois controlled substance license, stating that such license ''may be denied, refused renewal, suspended, or revoked by the Department of Financial and Professional Regulation.'' *Id.* 570/304(a).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to handle controlled substances in Illinois because both his Illinois medical license and his Illinois controlled substance license are suspended. As discussed above, an individual must be a licensed practitioner and must hold a valid controlled substance license to dispense a controlled substance in Illinois. Thus, because Registrant lacks authority to handle controlled substances in Illinois, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BW8048022 issued to Syed Warsi, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Syed Warsi, M.D., to renew or modify this registration, as well as any other pending application of Syed Warsi, M.D., for additional registration in Illinois. This Order is effective May 27, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on April 18, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–07174 Filed 4–24–25; 8:45 am]

BILLING CODE 4410–09–P

[5] This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR at 71371–72; *Sheran Arden Yeats, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51,105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR at 27617.

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Century Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 27, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0041 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0041.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–031–C.

Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga WV 26238.

Mine: Longview Mine, MSHA ID No. 46–09447, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.507–1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.507–1(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is seeking modification of the existing standard to permit usage of battery powered respirable protection units including the PureFlo ESM+ PF60, 3M Versaflo TR–300N, and Drager X-plore 8700 to be used in return air outby the last open crosscut.

The petitioner states that:

(a) The petitioner is seeking an alternative to the 3M Airstream helmet to provide miners with respirable protection against coal mine dust, a protection that can provide long-term health benefits.

(b) The 3M Airstream helmet has been used in mines for over 40 years. 3M has recently faced component disruptions for the Airstream product. This has caused 3M to discontinue, globally, the Airstream on June 1, 2020. The ability to order an Airstream system and components ended in February 2020, components were available through June 2020.

(c) Currently, there are not any available replacement PAPRs (positive pressure air-purifying respirator) that meet the MSHA standard for permissibility.

(d) PAPRs provide a constant flow of filtered air, which offers respiratory protection and comfort in hot working environments.

(e) Operators that were using the Airstream do not have an alternative to provide to this type of protection to its miners.

(f) PureFlo ESM+ PF60 PAPR:

(1) The PureFlo ESM + PF60 PAPR is a NIOSH approved respirator system, which is also compliant with CSA Z94.4–11. The respirator selection process used in CSA Z94.4–11 is based on NIOSH criteria for the testing and certification of a respirator.

(2) Certified by the Safety Equipment Institute (SEI), the PureFlo ESM + PF60 PAPR is in accordance with the requirements of ANSI/ISEA Z87.1–2015 and ANSI/ISEA Z89.1–2014, American National Standard for Industrial Head Protection.

(g) 3M Versaflo Heavy Industry TR–300N:

(1) Lithium-ion battery, adjustable airflow options and expanded range of NIOSH-approved filters and cartridges for pharmaceutical environment hazards.

(2) Compatible with the 3M Versaflo Respirator Systems family of components, multiple configurations of headtops, breathing tubes, batteries, filters and cartridges.

(3) Two battery options for up to 12 hours run time, less charging time and reduced down time.

(4) Charge level indicators on battery and PAPR user interface and LED status lights for battery charge on both battery and blower.

(5) Low-charge and low-flow warnings, including vibratory, audible and visual alarms.

(6) PAPR alarm provides approximately 15 mins. of warning prior to automatic low-power shutdown.

(7) Can be wiped with a soft cloth dampened in a solution of water and mild, pH neutral detergent.

(8) Lightweight, ergonomically designed for a contoured fit and greater movement in tight work spaces.

(9) Multiple airflow rate options for user comfort.

(10) Multiple belt size adjustments and extenders for proper fit and comfort.

(11) Belt designed with flexible air channels to help provide wide, comfortable support.

(12) Pre-calibrated and ready to use, directly out of the box.

(13) Ideal for rugged work environments that require durable and strong head protection.

(14) Heavy Industrial Kit includes: M–307 Respiratory Hard Hat Assembly, TR–302N+ PAPR Unit, TR–332 High Capacity Battery, TR–341N Battery Charger Kit, BT–40 Heavy Duty Breathing Tube, TR–326 High Durability Belt, TR–3712N (HE) Filter for Particulates, TR–3600 Pre Filters, TR–326 Spark Arrestor and TR–971 Airflow Indicator.

(h) Drager X-plore 8700 EX:

(1) The X-plore 8700 Intrinsically Safe Powered Air Purifier is a device designed for intrinsically safe environments. The blower unit's design includes the following unique features to meet intrinsic safety requirements:

(2) Patented battery change system—even in the hot zone. Fast ''power off'' technology.

(3) Smart electronics, supervisory control.

(4) Anti-static, materials, and design.

(5) Potted Components.

(6) Fail-safe circuits.

(7) Intrinsic safe compliant PAPR system components.

(8) Designed with the worker in mind. Breathe Easy.

(9) The blower unit can operate for up to 10,000 Lifetime hours.

(10) On a single charge, depending on system configuration, the battery can operate between 16 to 20 hours.

(11) A robust connection between the battery charger and the blower unit.

(12) No annual service maintenance is required (except changing the O-ring on the hose).

(i) These products are not MSHA approved, and the manufacturers are not pursuing approval. The standards for the approval of these respirators are an accepted alternative to MSHA's standards and provide the same level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the PAPR in accordance with the established manufacturer guidelines. In addition to manufacturer guidelines, it shall be required that mine employees be trained to inspect the unit before each use to determine if there is any damage or defects to the unit that would negatively impact intrinsic safety. This inspection shall include all associated wiring and connections and shall take place prior to the equipment being taken underground.

(b) If, during the inspection, it is determined that there is damage that may negatively impact the intrinsic safety, the PAPR shall be immediately removed from service.

(c) The PAPR user shall conduct daily examinations of the filter and replace as needed.

(d) When fitting a new filter on the PAPR, the manufacturer's instructions shall be followed.

(e) PAPR units shall not be charged underground.

(f) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected areas of the mine.

(g) All requirements of 30 CFR 75.323 shall be complied with. The PAPR shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more methane is detected while the PAPR is being used, the equipment shall be de-energized immediately. When 1.5 percent or more methane is detected, the PAPR shall be withdrawn from the affected area outby the last open crosscut.

(h) Employees shall be trained on how to properly use and take care of the PAPR according to manufacturer guidelines as well as all stipulations as related to the Proposed Decision and Order (PDO). Qualified miners shall receive training regarding the information in the PDO before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request. Within 60 days of the PDO becoming finalized, the petitioner shall submit proposed revisions to 30 CFR 75.370, mine ventilation, to be approved under the 30 CFR part 48 training plan by the Coal Mine Safety and Health District Manager. The revisions shall specify initial and refresher training and when the training is conducted, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be made on the certificate to note non-permissible testing equipment training.

There are no representatives of miners at Century Mining, LLC, Longview Mine. A copy of this petition has been posted on the bulletin board as of March 3, 2025.

In support of the proposed alternative method, the petitioner has also submitted specification tables for the PureFlo ESM+ PF60 PAPR and 3M Versaflo TR–300N PAPR; and the manufacturer spec sheets for the PureFlo ESM+ PF60 PAPR, 3M Versaflo TR–300N PAPR, and Drager X-plore 8700 EX PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–07142 Filed 4–24–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Century Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 27, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0040 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0040.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–030–C.

Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga, WV 26238.

Mine: Longview Mine, MSHA ID No. 46–09447, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.500(d) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is seeking modification of the existing standard to permit usage of battery powered respirable protection units including the PureFlo ESM+ PF60, 3M Versaflo TR–300N, and Drager X–plore 8700 to be used in or inby the last open crosscut.

The petitioner states that:

(a) The petitioner is seeking an alternative to the 3M Airstream helmet to provide miners with respirable protection against coal mine dust, a protection that can provide long-term health benefits.

(b) The 3M Airstream helmet has been used in mines for over 40 years. 3M has recently faced component disruptions for the Airstream product. This has caused 3M to discontinue, globally, the Airstream on June 1, 2020. The ability to order an Airstream system and components ended in February 2020, components were available through June 2020.

(c) Currently, there are not any available replacement PAPRs (positive pressure air-purifying respirator) that meet the MSHA standard for permissibility.

(d) PAPRs provide a constant flow of filtered air, which offers respiratory protection and comfort in hot working environments.

(e) Operators that were using the Airstream do not have an alternative to provide to this type of protection to its miners.

(f) PureFlo ESM+ PF60 PAPR:

(1) The PureFlo ESM + PF60 PAPR is a NIOSH approved respirator system, which is also compliant with CSA

Z94.4–11. The respirator selection process used in CSA Z94.4–11 is based on NIOSH criteria for the testing and certification of a respirator.

(2) Certified by the Safety Equipment Institute (SEI), the PureFlo ESM + PF60 PAPR is in accordance with the requirements of ANSI/ISEA Z87.1–2015 and ANSI/ISEA Z89.1–2014, American National Standard for Industrial Head Protection.

(g) 3M Versaflo Heavy Industry TR–300N:

(1) Lithium-ion battery, adjustable airflow options and expanded range of NIOSH-approved filters and cartridges for pharmaceutical environment hazards.

(2) Compatible with the 3M Versaflo Respirator Systems family of components, multiple configurations of headtops, breathing tubes, batteries, filters and cartridges.

(3) Two battery options for up to 12 hours run time, less charging time and reduced down time.

(4) Charge level indicators on battery and PAPR user interface and LED status lights for battery charge on both battery and blower.

(5) Low-charge and low-flow warnings, including vibratory, audible and visual alarms.

(6) PAPR alarm provides approximately 15 mins. of warning prior to automatic low-power shutdown.

(7) Can be wiped with a soft cloth dampened in a solution of water and mild, pH neutral detergent.

(8) Lightweight, ergonomically designed for a contoured fit and greater movement in tight work spaces.

(9) Multiple airflow rate options for user comfort.

(10) Multiple belt size adjustments and extenders for proper fit and comfort.

(11) Belt designed with flexible air channels to help provide wide, comfortable support.

(12) Pre-calibrated and ready to use, directly out of the box.

(13) Ideal for rugged work environments that require durable and strong head protection.

(14) Heavy Industrial Kit includes: M–307 Respiratory Hard Hat Assembly, TR–302N+ PAPR Unit, TR–332 High Capacity Battery, TR–341N Battery Charger Kit, BT–40 Heavy Duty Breathing Tube, TR–326 High Durability Belt, TR–3712N (HE) Filter for Particulates, TR–3600 Pre Filters, TR–326 Spark Arrestor and TR–971 Airflow Indicator.

(h) Drager X-plore 8700 EX:

(1) The X-plore 8700 Intrinsically Safe Powered Air Purifier is a device designed for intrinsically safe environments. The blower unit's design includes the following unique features to meet intrinsic safety requirements:

(2) Patented battery change system—even in the hot zone. Fast ''power off'' technology.

(3) Smart electronics, supervisory control.

(4) Anti-static, materials, and design.

(5) Potted Components.

(6) Fail-safe circuits.

(7) Intrinsic safe compliant PAPR system components.

(8) Designed with the worker in mind. Breathe Easy.

(9) The blower unit can operate for up to 10,000 Lifetime hours.

(10) On a single charge, depending on system configuration, the battery can operate between 16 to 20 hours.

(11) A robust connection between the battery charger and the blower unit.

(12) No annual service maintenance is required (except changing the O-ring on the hose).

(i) These products are not MSHA approved, and the manufacturers are not pursuing approval. The standards for the approval of these respirators are an accepted alternative to MSHA's standards and provide the same level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the PAPR in accordance with the established manufacturer guidelines. In addition to manufacturer guidelines, it shall be required that mine employees be trained to inspect the unit before each use to determine if there is any damage or defects to the unit that would negatively impact intrinsic safety. This inspection shall include all associated wiring and connections and shall take place prior to the equipment being taken underground.

(b) If, during the inspection, it is determined that there is damage that may negatively impact the intrinsic safety, the PAPR shall be immediately removed from service.

(c) The PAPR user shall conduct daily examinations of the filter and replace as needed.

(d) When fitting a new filter on the PAPR, the manufacturer's instructions shall be followed.

(e) PAPR units shall not be charged underground.

(f) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected areas of the mine.

(g) All requirements of 30 CFR 75.323 shall be complied with. The PAPR shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more methane is detected while the PAPR is being used, the equipment shall be de-energized immediately. When 1.5 percent or more methane is detected, the PAPR shall be withdrawn from the affected area outby the last open crosscut.

(h) Employees shall be trained on how to properly use and take care of the PAPR according to manufacturer guidelines as well as all stipulations as related to the Proposed Decision and Order (PDO). Qualified miners shall receive training regarding the information in the PDO before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request. Within 60 days of the PDO becoming finalized, the petitioner shall submit proposed revisions to 30 CFR 75.370, mine ventilation, to be approved under the 30 CFR part 48 training plan by the Coal Mine Safety and Health District Manager. The revisions shall specify initial and refresher training and when the training is conducted, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be made on the certificate to note non-permissible testing equipment training.

There are no representatives of miners at Century Mining, LLC, Longview Mine. A copy of this petition has been posted on the bulletin board as of March 3, 2025.

In support of the proposed alternative method, the petitioner has also submitted specification tables for the PureFlo ESM+ PF60 PAPR and 3M Versaflo TR–300N PAPR; and the manufacturer spec sheets for the PureFlo ESM+ PF60 PAPR, 3M Versaflo TR–300N PAPR, and Drager X-plore 8700 EX PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–07141 Filed 4–24–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Century Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 27, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0042 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0042.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–032–C.

Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga WV 26238.

Mine: Longview Mine, MSHA ID No. 46–09447, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is seeking modification of the existing standard to permit usage of battery powered respirable protection units including the PureFlo ESM+ PF60, 3M Versaflo TR–300N, and Drager X-plore 8700 to be used within 150 feet of pillar or longwall working faces.

The petitioner states that:

(a) The petitioner is seeking an alternative to the 3M Airstream helmet to provide miners with respirable protection against coal mine dust, a protection that can provide long-term health benefits.

(b) The 3M Airstream helmet has been used in mines for over 40 years. 3M has recently faced component disruptions for the Airstream product. This has caused 3M to discontinue, globally, the Airstream on June 1, 2020. The ability to order an Airstream system and components ended in February 2020, components were available through June 2020.

(c) Currently, there are not any available replacement PAPRs (positive pressure air-purifying respirator) that meet the MSHA standard for permissibility.

(d) PAPRs provide a constant flow of filtered air, which offers respiratory protection and comfort in hot working environments.

(e) Operators that were using the Airstream do not have an alternative to provide to this type of protection to its miners.

(f) PureFlo ESM+ PF60 PAPR:

(1) The PureFlo ESM + PF60 PAPR is a NIOSH approved respirator system, which is also compliant with CSA Z94.4–11. The respirator selection process used in CSA Z94.4–11 is based on NIOSH criteria for the testing and certification of a respirator.

(2) Certified by the Safety Equipment Institute (SEI), the PureFlo ESM + PF60 PAPR is in accordance with the requirements of ANSI/ISEA Z87.1–2015 and ANSI/ISEA Z89.1–2014, American National Standard for Industrial Head Protection.

(g) 3M Versaflo Heavy Industry TR–300N:

(1) Lithium-ion battery, adjustable airflow options and expanded range of NIOSH-approved filters and cartridges for pharmaceutical environment hazards.

(2) Compatible with the 3M Versaflo Respirator Systems family of components, multiple configurations of headtops, breathing tubes, batteries, filters and cartridges.

(3) Two battery options for up to 12 hours run time, less charging time and reduced down time.

(4) Charge level indicators on battery and PAPR user interface and LED status lights for battery charge on both battery and blower.

(5) Low-charge and low-flow warnings, including vibratory, audible and visual alarms.

(6) PAPR alarm provides approximately 15 mins. of warning prior to automatic low-power shutdown.

(7) Can be wiped with a soft cloth dampened in a solution of water and mild, pH neutral detergent.

(8) Lightweight, ergonomically designed for a contoured fit and greater movement in tight work spaces.

(9) Multiple airflow rate options for user comfort.

(10) Multiple belt size adjustments and extenders for proper fit and comfort.

(11) Belt designed with flexible air channels to help provide wide, comfortable support.

(12) Pre-calibrated and ready to use, directly out of the box.

(13) Ideal for rugged work environments that require durable and strong head protection.

(14) Heavy Industrial Kit includes: M–307 Respiratory Hard Hat Assembly, TR–302N+ PAPR Unit, TR–332 High Capacity Battery, TR–341N Battery Charger Kit, BT–40 Heavy Duty Breathing Tube, TR–326 High Durability Belt, TR–3712N (HE) Filter for Particulates, TR–3600 Pre Filters, TR–326 Spark Arrestor and TR–971 Airflow Indicator.

(h) Drager X-plore 8700 EX:

(1) The X-plore 8700 Intrinsically Safe Powered Air Purifier is a device designed for intrinsically safe environments. The blower unit's design includes the following unique features to meet intrinsic safety requirements:

(2) Patented battery change system—even in the hot zone. Fast ''power off'' technology.

(3) Smart electronics, supervisory control.

(4) Anti-static, materials, and design.
(5) Potted Components.
(6) Fail-safe circuits.
(7) Intrinsic safe compliant PAPR system components.
(8) Designed with the worker in mind. Breathe Easy.
(9) The blower unit can operate for up to 10,000 Lifetime hours.
(10) On a single charge, depending on system configuration, the battery can operate between 16 to 20 hours.
(11) A robust connection between the battery charger and the blower unit.
(12) No annual service maintenance is required (except changing the O-ring on the hose).

(i) These products are not MSHA approved, and the manufacturers are not pursuing approval. The standards for the approval of these respirators are an accepted alternative to MSHA's standards and provide the same level of protection.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the PAPR in accordance with the established manufacturer guidelines. In addition to manufacturer guidelines, it shall be required that mine employees be trained to inspect the unit before each use to determine if there is any damage or defects to the unit that would negatively impact intrinsic safety. This inspection shall include all associated wiring and connections and shall take place prior to the equipment being taken underground.

(b) If, during the inspection, it is determined that there is damage that may negatively impact the intrinsic safety, the PAPR shall be immediately removed from service.

(c) The PAPR user shall conduct daily examinations of the filter and replace as needed.

(d) When fitting a new filter on the PAPR, the manufacturer's instructions shall be followed.

(e) PAPR units shall not be charged underground.

(f) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected areas of the mine.

(g) All requirements of 30 CFR 75.323 shall be complied with. The PAPR shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more methane is detected while the PAPR is being used, the equipment shall be de-energized immediately. When 1.5 percent or more methane is detected, the PAPR shall be withdrawn from the affected area outby the last open crosscut.

(h) Employees shall be trained on how to properly use and take care of the PAPR according to manufacturer guidelines as well as all stipulations as related to the Proposed Decision and Order (PDO). Qualified miners shall receive training regarding the information in the PDO before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request. Within 60 days of the PDO becoming finalized, the petitioner shall submit proposed revisions to 30 CFR 75.370, mine ventilation, to be approved under the 30 CFR part 48 training plan by the Coal Mine Safety and Health District Manager. The revisions shall specify initial and refresher training and when the training is conducted, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be made on the certificate to note non-permissible testing equipment training.

There are no representatives of miners at Century Mining, LLC, Longview Mine. A copy of this petition has been posted on the bulletin board as of March 3, 2025.

In support of the proposed alternative method, the petitioner has also submitted specification tables for the PureFlo ESM+ PF60 PAPR and 3M Versaflo TR–300N PAPR; and the manufacturer spec sheets for the PureFlo ESM+ PF60 PAPR, 3M Versaflo TR–300N PAPR, and Drager X-plore 8700 EX PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–07143 Filed 4–24–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2007–0042]

TUV Rheinland of North America, Inc.: Applications for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the applications of TUV Rheinland of North America, Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the applications.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 12, 2025.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2007–0042). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 12, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of

Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Applications for Expansion

OSHA is providing notice that TUV Rheinland of North America, Inc. (TUVRNA), is applying for an expansion of current recognition as a NRTL. TUVRNA requests the addition of one test site and four test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by the applicable test standard and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition, as well as for an expansion or renewal of recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides the preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including TUVRNA, which details that NRTL's scope of recognition. These pages are available from the OSHA website at *https://www.osha.gov/dts/otpca/nrtl/index.html.*

TUVRNA currently has ten facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: TUV Rheinland of North America, Inc., 295 Foster Street, Suite 100, Littleton, Massachusetts 01460. A complete list of TUVRNA sites recognized by OSHA is available at *https://www.osha.gov/nationally-recognized-testing-laboratory-program/tuv.*

II. General Background on the Applications

TUVRNA submitted four applications to OSHA requesting expansion of its scope of recognition as a NRTL. The first application dated May 24, 2021 (OSHA–2007–0042–0087), requested expansion of the NRTL scope of recognition to include one standard. The second application dated February 13, 2024 (OSHA–2007–0042–0084), requested expansion of the NRTL scope of recognition to include one additional testing site located at: TUV Rheinland Taiwan Ltd. Taichung City No. 32, Zhonghe 2nd Rd, Daya District, Taichung City 428, Taiwan, R.O.C. The third application dated April 17, 2024 (OSHA–2007–0042–0085), requested expansion of the NRTL scope of recognition to include two additional test standards. The fourth application dated July 2, 2024 (OSHA–2007–0042–0086), requested the addition of one standard to the NRTL scope of recognition. In total, the expansion applications request the addition of one recognized test site and four recognized test standards that will be covered in this notice. OSHA staff performed a detailed analysis of the application packets and reviewed other pertinent information. OSHA performed an on-site review of TUVRNA's Taichung City facility on May 6–7, 2024, in which assessors found some nonconformances with the requirements of 29 CFR 1910.7. TUVRNA has addressed these issues sufficiently, and OSHA staff has preliminarily determined that OSHA should grant the applications.

Table 1, below, lists the test standards found in TUVRNA's applications for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED TEST STANDARDS FOR INCLUSION IN TUVRNA'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 60079–0	Explosive Atmospheres—Part 0: Equipment—General Requirements.
UL 60079–1*	Explosive Atmospheres—Part 1: Equipment Protection by Flameproof Enclosures ''d''.
UL 458	Power Converters/Inverters and Power Converter/Inverter Systems for Land Vehicles and Marine Crafts.
UL 60335–2–24	Safety Requirements for Household and Similar Electrical Appliances, Part 2: Refrigerating Appliances, Ice-Cream Appliances, and Ice-Makers.

*OSHA notes that the title to this standard in the table is taken from OSHA's List of Appropriate Test Standards (see *https://www.osha.gov/nationally-recognized-testing-laboratory-program/list-standards*). This title is not the same as the title currently used by the Standards Developing Organization that issued the test standard. OSHA intends to update the List of Appropriate Test Standards to reflect the currently used title in the near future.

III. Preliminary Finding on the Applications

TUVRNA submitted acceptable applications for expansion of the scope of recognition. OSHA's review of the application files and pertinent documentation preliminarily indicates that TUVRNA can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include one additional test site and four additional test standards for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of TUVRNA's applications.

OSHA seeks public comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether TUVRNA meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2007–0042 (for further information, see the ''*Docket*'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant TUVRNA's applications for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

V. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on March 27, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07123 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2025–0005]

Japan Electrical Safety & Environment Technology Laboratories: Application for Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of Japan Electrical Safety & Environment Technology Laboratories (JET), for recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant this recognition.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 27, 2025.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2025–0005). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 27, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Many OSHA standards require that a NRTL test and certify certain types of equipment as safe for use in the workplace. NRTLs are independent laboratories that meet OSHA's requirements for performing safety testing and certification of products used in the workplace. To obtain and retain OSHA recognition, the NRTLs must meet the requirements of the NRTL Program regulations at 29 CFR 1910.7. More specifically, to be recognized by OSHA, an organization must: (1) have the appropriate capability to test, evaluate, and approve products to assure their safe use in the workplace; (2) be completely independent of employers subject to the tested equipment requirements, and manufacturers and vendors of products for which OSHA requires certification; (3) have internal programs that ensure proper control of the testing and certification process; and (4) have effective reporting and complaint handling procedures. Recognition is an acknowledgement by OSHA that the NRTL has the capabilities to perform independent safety testing and certification of the specific products covered within the NRTL's scope of recognition and is not a delegation or grant of government authority. Recognition of a NRTL by OSHA also allows employers to use products certified by that NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications for initial recognition following requirements in appendix A of 29 CFR 1910.7. This appendix requires OSHA to publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application, provides its preliminary findings, and solicits comments on its preliminary findings. In the second notice, the agency provides its final decision on the application and sets forth the NRTL's scope of recognition.

II. Notice of the Application for Recognition

OSHA is providing notice that Japan Electrical Safety & Environment Technology Laboratories (JET) is applying for recognition as a NRTL. According to public information (see *https://www.jet.or.jp/en/company/history.html*), JET states that it is an internationally accredited testing laboratory. In its application, JET lists the current address of its headquarters as: Japan Electrical Safety & Environment Technology Laboratories, 5–14–12, Yoyogi, Shibuya-ku, Tokyo Japan. OSHA has determined preliminarily that JET has the capability to perform as a NRTL as outlined in 29 CFR 1910.7.

Each NRTL's scope of recognition has two elements: (1) the type(s) of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that have the technical capability to perform the product-testing and product-certification activities for the applicable test standards within the NRTL's scope of recognition. JET applied on August 7, 2018, for three recognized sites and one recognized test standard (OSHA–2025–0005–0002). This application was amended on March 3, 2025, to remove one of the three sites requested in the original application (OSHA–2025–0005–0003). The following sections set forth the requested scope of recognition included in JET's application that OSHA has considered.

A. Standard Requested for Recognition

Table 1 below lists the appropriate test standard included in JET's application for testing and certification of products under the NRTL Program.

TABLE 1—APPROPRIATE TEST STANDARD PROPOSED FOR INCLUSION IN JET'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 1741*	Inverters, Converters, and Controllers for Use in Independent Power Systems.

*OSHA notes that the title to this standard in the table is taken from OSHA's List of Appropriate Test Standards (see *https://www.osha.gov/nationally-recognized-testing-laboratory-program/list-standards*). This title is not the same as the title currently used by the Standards Developing Organization that issued the test standard. OSHA intends to update the List of Appropriate Test Standards to reflect the currently used title in the near future.

B. Sites Requested for Recognition

The current addresses of the JET sites included in its application for recognition as a NRTL are:

(1) Japan Electrical Safety & Technology Laboratories, 5–14–12, Yoyogi, Shibuya-ku, Tokyo, Japan; and

(2) Japan Electrical Safety & Technology Laboratories, 2–2–9, Machiikedai, Koriyama-city, Fukushima-prefecture, Japan.

The NRTL Program requires that to obtain recognition, the sites listed above must have the capability to conduct product testing in accordance with the appropriate test standard for the equipment or material being testing and certified.

III. Preliminary Finding on the Application for Recognition as a NRTL

OSHA's NRTL Program recognition process involves a thorough analysis of a NRTL applicant's policies and procedures, and a comprehensive on-site review of the applicant's testing and certification activities to ensure that the applicant meets the requirements of 29 CFR 1910.7. OSHA staff performed a detailed analysis of JET's application packet and reviewed other pertinent information. OSHA staff also performed a comprehensive on-site assessment of JET's testing facilities at JET Tokyo and Fukushima, Japan on May 13–15, 2024. A summary of OSHA's assessment of the four requirements for recognition (*i.e.,* capability, control procedures, independence, and credible reports and complaint handling) is provided below.

A. Capability

Section 1910.7(b)(1) states that, for each specified item of equipment or material to be listed, labeled, or accepted, the NRTL must have the capability (including proper testing equipment and facilities, trained staff, written testing procedures, and calibration and quality-control programs) to perform appropriate testing. OSHA staff performed a detailed analysis of JET's application packet and reviewed other pertinent information to assess its capabilities to perform testing and certification activities. OSHA preliminarily determined that JET has demonstrated these capabilities through the following:

- JET's facilities have adequate test areas, energy sources, and procedures for controlling incompatible activities.
- JET provided a detailed list of its testing equipment. Review of the application shows that the equipment listed is available and adequate for the standard for which it seeks recognition.
- JET has detailed procedures for conducting testing, review, and evaluation, and for capturing the test and other data required by the test standard for which it seeks recognition.
- JET has detailed procedures addressing the maintenance and calibration of equipment, and the types of records maintained for, or supporting laboratory activities.
- JET has sufficient qualified personnel to perform the proposed scope of testing based on their education, training, technical knowledge, and experience.
- JET has an adequate quality-control system in place to conduct internal audits, as well as track and resolve nonconformances.

OSHA's on-site assessment of JET's facilities confirmed the capabilities described in its application packet. The assessors found some nonconformances with the requirements of 29 CFR 1910.7. JET addressed these issues sufficiently to meet the applicable NRTL requirements.

B. Control Procedures

Section 1910.7(b)(2) requires that the NRTL provide controls and services, to the extent necessary, for the particular equipment or material to be listed, labeled, or accepted. These controls and services include procedures for identifying the listed or labeled equipment or materials, inspections of production runs at factories to assure conformance with test standards, and field inspections to monitor and assure the proper use of identifying marks or labels. OSHA staff performed a detailed analysis of JET's application packet and reviewed other pertinent information to assess its control procedures. OSHA preliminarily determined that JET has demonstrated these capabilities through the following:

- JET has a quality-control manual and detailed procedures to address the steps involved to list and certify products.
- JET has a registered certification mark.
- JET has certification procedures to address the authorization of certifications and audits of factory

facilities. The audits apply to both the initial evaluations and the follow-up inspections of manufacturers' facilities.

OSHA's on-site assessment of JET's facilities confirmed the capabilities described in its application packet. The assessors found some nonconformances with the requirements of 29 CFR 1910.7. JET addressed these issues sufficiently to meet the applicable NRTL requirements.

C. Independence

Section 1910.7(b)(3) requires that the NRTL be completely independent of employers that are subject to the testing requirements, and of any manufacturers or vendors of equipment or materials tested under the NRTL Program. The NRTL Program Policies, Procedures and Guidelines Directive, CPL–01–00–004, allows NRTLs to comply with the requirement in the NRTL Program regulation that NRTLs be ''completely independent of employers subject to the tested equipment requirements, and of any manufacturers or vendors of equipment or materials being tested for these purposes'' (29 CFR 1910.7(b)(3)) by meeting the minimum performance standards of Annex B of the NRTL Program Directive, CPL–01–00–004, with respect to impartiality. The policy focuses on the NRTL's ability to effectively identify, eliminate and control any risk to its impartiality.

This policy provides for the NRTL to identify risks to impartiality on an ongoing basis and when risks to impartiality are identified, and for the NRTL to demonstrate how it eliminates or minimizes such risks. OSHA staff performed a detailed analysis of JET's application packet and reviewed other pertinent information to assess its independence. OSHA preliminarily determined that JET has demonstrated independence through the following:

- JET is a privately-owned organization, and OSHA found no information regarding ownership that would qualify as a conflict under OSHA's independence policy.
- JET showed that it has none of the relationships described in OSHA's independence policy or any other relationship that could subject it to undue influence when testing for product safety.
- JET has policies and procedures in place to identify risks to impartiality and when risks to impartiality are found, JET has policies and procedures to eliminate or minimize such risks.

D. Credible Reports and Complaint Handling

Section 1910.7(b)(4) specifies that a NRTL must maintain effective procedures for producing credible findings and reports that are objective and free of bias. The NRTL must also have procedures for handling complaints and disputes under a fair and reasonable system. OSHA staff performed a detailed analysis of JET's application packet and reviewed other pertinent information to assess its ability to produce credible results and handle complaints. OSHA preliminarily determined that JET has demonstrated these capabilities through the following:

- JET has detailed procedures describing the content of test reports, and other detailed procedures describing the preparation and approval of these reports.
- JET has procedures for recording, analyzing, and processing complaints from users, manufacturers, and other parties in a fair manner.

OSHA's on-site assessments of JET's facilities confirmed the capabilities described in its application packet. The assessors found some nonconformances with the requirements of 29 CFR 1910.7. JET addressed these issues sufficiently to meet the applicable NRTL requirements.

OSHA's review of the application file and pertinent documentation, as well as the results of the on-site assessments, indicate that JET can meet the requirements prescribed by 29 CFR 1910.7 for recognition as a NRTL for its sites located in Tokyo, Japan and Fukushima, Japan.

OSHA's preliminary finding does not constitute an interim or temporary approval of JET's application.

IV. Public Participation

OSHA welcomes public comment as to whether JET meets the requirements of 29 CFR 1910.7 for recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request, for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, U.S. Department of Labor. These materials also are generally available online at *http://www.regulations.gov* under Docket No. OSHA–2025–0005 (for further information, see the ''Docket'' heading in the section of this notice titles **ADDRESSES**).

OSHA staff will review all comments submitted to the docket in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary for Occupational Safety and Health regarding JET's application for recognition as a NRTL. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of this final decision in the **Federal Register**.

V. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393, September 18, 2020) and 29 CFR 1910.7.

Signed at Washington, DC, on March 27, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07127 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0042]

CSA Group Testing & Certification Inc.: Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of CSA Group Testing & Certification Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 12, 2025.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2006–0042). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 12, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

OSHA is providing notice that CSA Group Testing & Certification Inc. (CSA), is applying for an expansion of current recognition as a NRTL. CSA requests the addition of one test site to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by the applicable test standard and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition, as well as for an expansion or renewal of recognition, following requirements in appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides the preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including CSA, which details that NRTL's scope of recognition. These pages are available from the OSHA website at *https://www.osha.gov/dts/otpca/nrtl/index.html.*

CSA currently has twenty-two facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: CSA Group Testing & Certification Inc., 178 Rexdale Boulevard, Etobicoke, Ontario M9W 1R3 Canada. A complete list of CSA sites recognized by OSHA is available at *https://www.osha.gov/dts/otpca/nrtl/csa.html.*

II. General Background on the Application

CSA submitted an application, dated July 19, 2022 (OSHA–2006–0042–0049), to expand recognition as a NRTL to include one additional test site located at: 41 Science Park Road #02–04 The Gemini, Singapore Science Park II, Singapore 117610. OSHA staff performed an on-site review of CSA's testing facility at CSA Singapore on March 4–5, 2024, in which assessors found some nonconformances with the requirements of 29 CFR 1910.7. CSA has addressed these issues sufficiently, and OSHA staff has preliminarily determined that OSHA should grant the application.

III. Preliminary Finding on the Application

CSA submitted an acceptable application for expansion of its scope of recognition. OSHA's review of the application file and pertinent documentation preliminarily indicates that CSA can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include one additional test site for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of CSA's application.

OSHA seeks public comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether CSA meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibit identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2006–0042 (for further information, see the ''*Docket*'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant CSA's application for expansion of the

scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

IV. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on March 27, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07125 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2019–0009]

DEKRA Certification, Inc.: Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of DEKRA Certification Inc., for expansion of the recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 12, 2025.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2019–0009). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 12, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, phone: (202) 693–1999 or email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

OSHA is providing notice that DEKRA Certification Inc. (DEKRA), is applying for expansion of the current recognition as a NRTL. DEKRA requests the addition of two recognized sites to the NRTL scope of recognition.

OSHA's recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes: (1) the type of products the NRTL may test, with each type specified by the applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides a final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including DEKRA, which details the NRTL's scope of recognition. These pages are available from the OSHA website at *https://www.osha.gov/dts/otpca/nrtl/index.html.*

DEKRA currently has two facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: DEKRA Certification, Inc., 405 Glenn Drive, Suite 12, Sterling, Virginia 20164. A complete list of DEKRA's scope of recognition is available at *https://www.osha.gov/nationally-recognized-testing-laboratory-program/dekra.*

II. General Background on the Application

DEKRA submitted an application to OSHA for expansion of the NRTL scope of recognition on October 1, 2022 (OSHA–2019–0009–0016), to include two recognized sites located at: No. 250, Jiangchangsan Rd., Building 16 Headquarter Economy Park, Shibei Hi-Tech Park, Jing'an District, Shanghai 200436, China, and: No. 1050, Xingxian Road, Jiading District, Shanghai 201815 China. OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information.

OSHA performed a review of DEKRA's Shanghai, China sites on November 5–7, 2024, in which assessors found some nonconformances with the requirements of 29 CFR 1910.7. DEKRA addressed these issues sufficiently, and OSHA staff has preliminarily determined that OSHA should grant the application.

III. Preliminary Findings on the Application

DEKRA submitted an acceptable application for expansion of the scope of recognition. OSHA's review of the application files and pertinent documentation indicates that DEKRA has met the requirements prescribed by 29 CFR 1910.7 for expanding the recognition to include the addition of the two recognized sites identified above. This preliminary finding does not constitute an interim or temporary approval of DEKRA's application.

OSHA seeks comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether DEKRA meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2019–0009 (for further information, see the ''*Docket*'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant DEKRA's application for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

V. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393, Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on April 2, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07124 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2009–0025]

UL LLC: Applications for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the applications of UL LLC for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the applications. Additionally, OSHA proposes to add one standard to the NRTL Program's List of Appropriate Test Standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 12, 2025.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2009–0025). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov*. Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov*. Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 12, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov*.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov*.

SUPPLEMENTARY INFORMATION:

I. Notice of the Applications for Expansion

OSHA is providing notice that UL LLC (UL) is applying for expansion of current recognition as a NRTL. UL requests the addition of one test site and two test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR

1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by the applicable test standard and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition, as well as for an expansion or renewal of recognition, following requirements in appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides the preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including UL, which details that NRTL's scope of recognition. These pages are available from the OSHA website at *https://www.osha.gov/dts/otpca/nrtl/index.html*.

UL currently has fifty-six facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: UL LLC, 333 Pfingsten Road, Northbrook, Illinois 60062. A complete list of UL sites recognized by OSHA is available at *https://www.osha.gov/dts/otpca/nrtl/ul.html*.

II. General Background on the Applications

UL submitted three applications. The first application, dated November 29, 2022 (OSHA–2009–0025–0069), requested expanded recognition as a NRTL to include one additional test site located at: Phu Thai Vietnam, Lot DH, Lai Vu Industrial Park. UL submitted a second application, dated March 19, 2024 (OSHA–2009–0025–0070), requesting the addition of one test standard to the NRTL scope of recognition. A third application was submitted on November 15, 2024 (OSHA–2009–0025–0071), requesting the addition of one test standard to the NRTL scope of recognition. In total, the expansion applications requested the addition of one test site and two test standards to the NRTL scope of recognition. OSHA staff performed a review of UL's testing facility in UL Vietnam on August 4–6, 2024, in which assessors found some nonconformances with the requirements of 29 CFR 1910.7. UL has addressed these issues sufficiently, and OSHA staff has preliminarily determined that OSHA should grant the application.

Table 1, below, lists the test standards found in UL's applications for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED TEST STANDARDS FOR INCLUSION IN UL'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 60335–2–29	Household and Similar Electrical Appliances—Safety—Part 2–29: Particular Requirements for Battery Chargers.
UL 2056 *	Power Banks.

* In this notice, OSHA also proposes to add this test standard to the NRTL Program's List of Appropriate Test Standards.

III. Proposal To Add New Test Standard to the NRTL Program's List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL list of appropriate test standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to: (1) verify it represents a product category for which OSHA requires certification by a NRTL; (2) verify the document represents a product and not a component; and (3) verify the document defines safety test specifications (not installation or operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) monitoring notifications issued by certain Standards Development Organizations; (2) reviewing applications by NRTLs or applicants seeking recognition to include new test standards in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

In this notice, OSHA proposes to add a new test standard to the NRTL Program's list of appropriate test standards. Table 2, below, lists the test standard that is new to the NRTL Program. OSHA preliminarily determines that this test standard is an appropriate test standard. OSHA seeks public comment on this preliminary determination.

TABLE 2—STANDARD OSHA IS PROPOSING TO ADD TO THE NRTL PROGRAM'S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 2056	Power Banks

IV. Preliminary Finding on the Applications

UL submitted acceptable applications for expansion of its scope of recognition. OSHA's review of the application files and pertinent documentation preliminarily indicates that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include one additional test site and two additional test standards for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of UL's applications.

OSHA seeks public comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2009–0025 (for further information, see the ''*Docket*'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant UL's applications for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

IV. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on March 27, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07126 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2007–0039]

Intertek Testing Services NA, Inc.: Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of Intertek Testing Services NA, Inc., for expansion of the recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before May 12, 2025.

ADDRESSES: Submit comments by any of the following methods:

Electronically: You may submit comments, including attachments, electronically at *http://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2007–0039). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before May 12, 2025 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, phone: (202) 693–1999 or email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

OSHA is providing notice that Intertek Testing Services NA, Inc. (ITSNA), is applying for expansion of the current recognition as a NRTL. ITSNA requests the addition of two test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes: (1) the type of products the NRTL may test, with each type specified by the applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides a final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including ITSNA, which details the NRTL's scope of recognition. These pages are available from the OSHA website at *http://www.osha.gov/dts/otpca/nrtl/index.html.*

II. General Background on the Application

ITSNA submitted an application dated October 1, 2023 (OSHA–2007–0039–0061), requesting the addition of two test standards to the NRTL scope of recognition. OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

Table 1, below, lists the appropriate test standards found in ITSNA's application for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED APPROPRIATE TEST STANDARDS FOR INCLUSION IN ITSNA'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 2272	Electrical Systems for Personal E-Mobility Devices.
UL 2849	Electrical Systems for eBikes.

III. Preliminary Findings on the Application

ITSNA submitted an acceptable application for expansion of the scope of recognition. OSHA's review of the application file and pertinent documentation indicates that ITSNA can meet the requirements prescribed by 29 CFR 1910.7 for expanding the recognition to include the addition of these two test standards for NRTL testing and certification listed in Table 1. This preliminary finding does not constitute an interim or temporary approval of ITSNA's application.

OSHA seeks comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether ITSNA meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2007–0039 (for further information, see the ''Docket'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant ITSNA's application for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

V. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393, Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on March 27, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–07129 Filed 4–24–25; 8:45 am]

BILLING CODE 4510–26–P

LEGAL SERVICES CORPORATION

Notice to Legal Services Corporation Grantees of Application Process for Making 2025 Mid-Year and 2026 Basic Field Fund Subgrants

AGENCY: Legal Services Corporation.

ACTION: Notice of application dates and format for applications.

SUMMARY: The Legal Services Corporation (LSC) is the national organization charged with administering Federal funds provided for civil legal services to low-income people. LSC hereby announces the submission dates for applications to make 2025 mid-year and 2026 Basic Field Grant fund subgrants. LSC also provides information about where applicants may locate subgrant application questions and directions for providing the information required to apply for a subgrant.

DATES: See **SUPPLEMENTARY INFORMATION** section for application dates.

ADDRESSES: Legal Services Corporation—Office of Compliance and Enforcement, 1825 I Street NW, Suite 800, Washington, DC 20006–5475.

FOR FURTHER INFORMATION CONTACT: Megan Lacchini, Office of Compliance and Enforcement at *lacchinim@lsc.gov* or (202) 295–1506 or visit the LSC website at *https://www.lsc.gov/grants-grantee-resources/grantee-guidance/how-apply-subgrant.*

SUPPLEMENTARY INFORMATION: Under 45 CFR part 1627, LSC must publish, on an annual basis, ''notice of the requirements concerning the format and contents of the application annually in the **Federal Register** and on LSC's website.'' 45 CFR 1627.4(b). This Notice and the publication of the Subgrant Application on LSC's website satisfy § 1627.4(b)'s notice requirement for the Basic Field Grant program. Only current or prospective recipients of LSC Basic Field Grants may apply for approval to subgrant these funds.

Applications for approval to make 2025 mid-year and calendar year 2026 Basic Field Grant fund subgrants became available on or around April 15, 2025. An applicant must apply to make a mid-year subgrant of LSC Basic Field Grant funds through GrantEase at least 45 days before the subgrant's proposed effective date. 45 CFR 1627.4(b)(2). An applicant must apply to make calendar year subgrants of 2026 Basic Field Grant funds through GrantEase in conjunction with its application(s) for 2026 Basic Field Grant funding. 45 CFR 1627.4(b)(1). The deadline for 2026 Basic Field Grant funding application submissions is June 2, 2025.

All applicants must provide answers to the application questions in GrantEase and upload the following documents:

- A draft subgrant agreement (with the required terms provided in LSC's Subgrant Agreement Template); and

• A subgrant budget (using LSC's Subgrant Budget Template)

Applicants seeking to subgrant to a new subrecipient that is not a current LSC grantee, or to renew a subgrant with an organization that is not a current LSC grantee in a year in which the applicant is required to submit a full funding application, must also upload:

• The subrecipient's accounting manual;

• The subrecipient's most recent audited financial statements;

• The subrecipient's current cost allocation policy (if not in the accounting manual); and

• The recipient's 45 CFR part 1627 Policy (required under 45 CFR 1627.7).

A list of subgrant application questions, the Subgrant Agreement Template, and the Subgrant Budget Template are available on LSC's website at *https://www.lsc.gov/grants-grantee-resources/grantee-guidance/how-apply-subgrant.*

LSC encourages applicants to use LSC's Subgrant Agreement Template as a model subgrant agreement. If the applicant does not use LSC's Template, the proposed agreement must include, at a minimum, the substance of the provisions of the Template.

Once submitted, LSC will evaluate the application and provide applicants with instructions on any needed modifications to the submitted documents or Draft Agreement provided with the application. The applicant must then upload a final and signed subgrant agreement through GrantEase by the date requested.

As required by 45 CFR 1627.4(b)(3), LSC will inform applicants of its decision to disapprove or approve an application for a 2025 mid-year subgrant no later than the subgrant's proposed effective date. As required by 45 CFR 1627.4(b)(1)(ii), LSC will inform applicants of its decision to disapprove or approve a 2026 calendar-year subgrant no later than the date LSC informs applicants of LSC's 2026 Basic Field Grant funding decisions.

(Authority: 42 U.S.C. 2996g(e).)

Dated: April 21, 2025.

Stefanie Davis,

Deputy General Counsel, Legal Services Corporation.

[FR Doc. 2025–07101 Filed 4–24–25; 8:45 am]

BILLING CODE 7050–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board's (NSB) Committee on Oversight (CO) hereby gives notice of the scheduling of a videoconference for the transaction of National Science Board business pursuant to the National Science Foundation Act and the Government in the Sunshine Act.

TIME AND DATE: Tuesday, April 29, 2025, from 12 p.m.–1 p.m. Eastern.

PLACE: The meeting will be held by videoconference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Members of the public can observe this meeting through YouTube livestream. The YouTube link will be available from the NSB meetings web page—*https://www.nsf.gov/nsb/meetings/index.jsp.*

STATUS: Open.

MATTERS TO BE CONSIDERED: Committee Chair's opening remarks and approval of previous committee minutes; discussion of the draft Overview to the Merit Review Digests for FY 2022 and 2023 and vote to approve; and Committee Chair's closing remarks.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is Chris Blair, *cblair@nsf.gov,* 703/292–7000.

Ann E. Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2025–07277 Filed 4–23–25; 4:15 pm]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board (NSB) hereby gives notice of the scheduling of a joint meeting of the National Science Board's Committee on Strategy (CS) and Committee on Awards & Facilities (A&F) for the transaction of National Science Board business pursuant to the NSF Act and the Government in the Sunshine Act.

TIME AND DATE: The joint CS and A&F Committee meeting is scheduled for Monday, April 28, 2025, at 10 a.m. Eastern.

PLACE: The meeting of the NSB Elections Committee will be held via video conference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The agenda is: Committee on Strategy Chair's remarks about the agenda; Committee on Awards & Facilities Chair's remarks about the agenda; and Discussion of hypothetical NSF budget scenarios.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, *cblair@nsf.gov,* 703/292–7000. Meeting information and updates may be found at *www.nsf.gov/nsb.*

Ann Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2025–07276 Filed 4–23–25; 4:15 pm]

BILLING CODE 7555–01–P

OFFICE OF PERSONNEL MANAGEMENT

Agency Information Collection Request: Federal Employees Dental and Vision Insurance Program Enrollment System

AGENCY: Office of Personnel Management.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM) offers the general public the opportunity to comment on an information collection request (ICR): 3206–0272, Federal Employees Dental and Vision Insurance Program (FEDVIP) Enrollment System. As required by the Paperwork Reduction Act, OPM is soliciting comments for this collection.

DATES: Comments are encouraged and will be accepted until June 24, 2025. This process is conducted in accordance with 5 CFR 1320.8(d)(1).

ADDRESSES: You may submit comments, identified by the OMB control number or title, by the following method:

• *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting Dyan Dyttmer, Office of Personnel Management, (202) 606–1412, or via electronic mail at *FEDVIP@opm.gov.*

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995, as amended, 44 U.S.C. 3506(c)(2), OPM is soliciting comments for this collection. The Office of Personnel Management is particularly interested in comments that:

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

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

Background

The Federal Employees Dental and Vision Insurance Program Enrollment System uses BENEFEDS, which is the secure enrollment website sponsored by OPM that allows eligible individuals to enroll or change enrollment in a FEDVIP plan. Eligible individuals use the system to enroll or change enrollment during the annual Federal Benefits Open Season or when experiencing a qualifying life event during the plan year under 5 CFR 894.101. FEDVIP is available to eligible Federal civilian and U.S. Postal Service (USPS) employees, retirees (annuitants), survivor annuitants, compensationers, and their eligible family members (dependents); and certain TRICARE-eligible individuals (TEIs) who are authorized under section 715 of Public Law 114–328, on an enrollee-pay-all basis. There is no government contribution toward premiums.

OPM uses this enrollment system to carry out its responsibility to administer FEDVIP in accordance with 5 U.S.C. chapters 89A and 89B and implementing regulations (5 CFR part 894). Additionally, to align with Executive Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,* OPM plans to change information relating to gender in this information collection where appropriate.

Analysis

Agency: Office of Personnel Management.

Title: Federal Employees Dental and Vision Insurance Program (FEDVIP) Enrollment System.

OMB Number: 3206–0272.

Frequency: Annual.

Affected Public: Individuals or Households.

Number of Respondents: 502,347.

Estimated Time per Respondent: 7.03 minutes.

Total Burden Hours: 58,858 hours.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2025–07171 Filed 4–24–25; 8:45 am]

BILLING CODE 6325–64–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1322 and K2025–1322; MC2025–1323 and K2025–1323]

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:* April 29, 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). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–1322 and K2025–1322; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 713 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 21, 2025; *Filing*

[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).

Authority: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* April 29, 2025.

2. *Docket No(s).:* MC2025–1323 and K2025–1323; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 714 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 21, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* April 29, 2025.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–07184 Filed 4–24–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1319 and K2025–1319; MC2025–1320 and K2025–1320]

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:* April 28, 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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III. Summary Proceeding(s)

I. Introduction

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The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

[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).

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–1319 and K2025–1319; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 711 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 18, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* April 28, 2025.

2. *Docket No(s).:* MC2025–1320 and K2025–1320; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 712 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 18, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* April 28, 2025.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–07109 Filed 4–24–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Sunshine Act Meetings

TIME AND DATE: Thursday, May 8, 2025, at 9 a.m. EST; Friday, May 9, 2025, at 10 a.m. EST.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza SW, in the Benjamin Franklin Room.

STATUS: Thursday, May 8, 2025, at 9 a.m.—Closed. Friday, May 9, 2025, at 10 a.m.—Open.

MATTERS TO BE CONSIDERED:

Meeting of the Board of Governors

Thursday, May 8, 2025, at 9 a.m. (Closed)

1. Strategic Matters.
2. Financial and Operational Matters.
3. Administrative Matters.

Friday, May 9, 2025, at 10 a.m. (Open)

1. Remarks of the Chairwoman of the Board of Governors.
2. Remarks of the Postmaster General and CEO.
3. Approval of the Meeting Minutes.
4. Committee Reports.
5. Quarterly Financial Report.
6. Quarterly Service Performance Report.
7. Approval of Tentative Agenda for August 7 Open Meeting.

General Counsel Certification: The General Counsel of the United States Postal Service has certified that the meeting may be closed under the Government in the Sunshine Act.

CONTACT PERSON FOR MORE INFORMATION: Lucy C. Trout, Acting Secretary of the Board of Governors, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260–1000. Telephone: (202) 268–4800.

Lucy C. Trout,

Acting Secretary.

[FR Doc. 2025–07307 Filed 4–23–25; 4:15 pm]

BILLING CODE 7710–12–P

POSTAL SERVICE

Sunshine Act Meetings

TIME AND DATE: Tuesday, April 22, 2025, at 5 p.m. EST.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW.

STATUS: Closed.

MATTERS CONSIDERED: On April 22, 2025, the members of the Board of Governors of the United States Postal Service voted unanimously to hold and to close to public observation a special meeting in Washington, DC. The Board determined that no earlier public notice was practicable. The Board considered the below matters.

1. Administrative Matters.
2. Executive Session.
3. Personnel Matters.

General Counsel Certification: The General Counsel of the United States Postal Service has certified that the meeting may be closed under the Government in the Sunshine Act.

CONTACT PERSON FOR MORE INFORMATION: Lucy C. Trout, Acting Secretary of the Board of Governors, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260–1000. Telephone: (202) 268–4800.

Lucy C. Trout,

Acting Secretary.

[FR Doc. 2025–07306 Filed 4–23–25; 4:15 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102895; File No. SR–IEX–2025–02]

Self-Regulatory Organizations; Investors Exchange LLC; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To Adopt Rules To Govern the Trading of Options on the Exchange for a New Facility Called IEX Options

April 21, 2025.

I. Introduction

On January 10, 2025, the Investors Exchange LLC (''IEX'' or ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt rules to govern the trading of options on IEX Options LLC (''IEX Options''), a new facility of the Exchange that would be established in a separate rule filing. The proposed rule change was published for comment in the **Federal Register** on January 21, 2025.[3] On March 6, 2025, pursuant to Section 19(b)(2)(A)(ii)(I) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On March 12, 2025, the Exchange filed Amendment No. 1 to the proposed rule change.[6] The proposed rule change as modified by Amendment No. 1 was published for comment in the **Federal Register** on March 19, 2025.[7] The Commission has received comments on the proposed rule change.[8] Pursuant to Section 19(b)(2)(B) of the Act,[9] the Commission is hereby instituting proceedings to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 1

The Exchange proposes to adopt rules in connection with its proposed launch of IEX Options, which would be ''a fully automated trading system built on the core functionality of the Exchange's approved equities platform, and [operated] in a manner similar to that of other options exchanges'' for the listing and trading of options issued by the Options Clearing Corporation.[10] As discussed in the proposal, as modified by Amendment No. 1, the Exchange proposes to operate IEX Options as a pro-rata options market with an access delay.[11] Specifically, IEX proposes ''to utilize a de minimis delay on incoming order and quote messages designed to enable IEX to update its view of the market prior to processing orders and quotes'' to support an optional Options Risk Parameter (''ORP'') that would be ''designed to protect [registered market makers on IEX] from excessive risk due to execution of stale quotes. . . .'' [12]

With the notable exception of the novel options access delay and ORP, the proposed rules for IEX Options are similar to the rules of other options exchanges.[13] The Exchange's rules applicable to the IEX equities market contained in Chapters 1 through 16 of its rulebook would apply to Options Members [14] unless a proposed rule in proposed Chapters 17 through 29,

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102190 (Jan. 14, 2025), 90 FR 7205 (''Notice'').

[4] 15 U.S.C. 78s(b)(2)(A)(ii)(I).

[5] *See* Securities Exchange Act Release No. 102536, 90 FR 11866 (Mar. 12, 2025). The Commission designated April 21, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] Amendment No. 1 is available on the Commission's website at: *https://www.sec.gov/comments/sr-iex-2025-02/sriex202502-580115-1667463.pdf.*

[7] *See* Securities Exchange Act Release No. 102663 (Mar. 13, 2025), 90 FR 12890 (''Amendment No. 1'').

[8] Comments on the proposed rule change are available at *https://www.sec.gov/comments/sr-iex-2025-02/sriex202502.htm.*

[9] 15 U.S.C. 78s(b)(2)(B).

[10] Amendment No. 1, *supra* note 7, at 12891.

[11] *See id.* at 12891–92.

[12] *Id.* at 12891.

[13] Specifically, the proposed rules for IEX Options are substantially similar or substantively identical to rules of MEMX LLC (''MEMX Options''), Cboe Exchange, Inc. (''Cboe''), Miami International Securities Exchange, LLC (''MIAX''), NYSE American LLC (''NYSE Amex'') and NYSE Arca, Inc. (''NYSE Arca'') options exchanges, with material differences discussed in Amendment No. 1. When the Exchange describes in its proposal a proposed rule as being ''substantively identical'' to a rule of another exchange, the Exchange states that means that the substance of the proposed IEX Options rule is identical to the referenced rule of the other exchange, with differences only to reflect terminology and numbering. *See id.* at n. 14. When it describes a proposed rule as ''substantially similar'' to a rule of another exchange, the proposal describes the relevant differences. *See id.*

[14] IEX proposes to define an ''Options Member'' as ''a firm, or organization that is registered with the Exchange pursuant to Chapter 18 of [the Exchange's] Rules for purposes of participating in options trading on IEX Options as an Options Order Entry Firm, Options Market Maker, or Clearing Member.'' Proposed Rule 17.100 (defining ''Options Member'').

applicable to the IEX Options market, applies.[15]

Chapters 17 Through 21

The Exchange proposes to define relevant terms in proposed Rule 17.100, all of which are substantially similar to definitions included in MEMX Options Rule 16.1.[16] The Exchange proposes to set forth rules governing participation on IEX Options in Chapter 18, which are substantially similar to rules of MEMX Options and Cboe.[17] In addition, the Exchange proposes to adopt rules in Chapter 19 regarding business conduct that are substantively identical to MEMX Options rules and MIAX rules,[18] rules in Chapter 20 regarding listing standards for options traded on IEX Options that are substantively identical to MEMX Options rules,[19] and rules in Chapter 21 regarding halts, unusual market conditions, extraordinary market volatility, obvious errors, audit trails, and rules regarding prohibited and permissible transfers of options positions off the Exchange that are substantially similar to MEMX Options rules.[20]

Chapter 22—Trading System

The Exchange proposes to adopt rules in Chapter 22 regarding IEX Options' trading system that are substantially similar or substantively identical to rules from MEMX Options, NYSE Arca, and Cboe, with material differences discussed in the proposal, as modified by Amendment No. 1.[21]

Latency Mechanism. Notably, the Exchange proposes a de minimis hardware-based latency mechanism of 350 microseconds that would be added to each incoming order and quote message as set forth in proposed Rule 22.100(n).[22] This latency mechanism is designed to allow the Exchange to ''update its view of the market prior to processing orders and quotes'' and to perform a quote instability calculation for the ORP using that current market data.[23]

Order Priority. IEX Options would have a pro-rata allocation model with execution priority dependent on the size and capacity of an order.[24] Resting quotes and orders would be prioritized according to price, after which contracts would be allocated proportionally according to size (in a pro-rata fashion), rounded down to the nearest whole contract.[25] Residual options contracts would be filled one at a time based on price-size-time priority.[26]

The Exchange also proposes to support priority overlays discussed in proposed Rule 22.170(f),[27] including Priority Customer priority.[28] The Specialist Participation Entitlement overlay would provide a Specialist with priority over interest from other non-Priority Customers for a certain percentage of contracts allocated at the same price (entitling Specialists to a 60% allocation if there is one other non-Priority Customer at the National Best Bid or National Best Offer (''NBBO'') or 40% if there are two or more other non-Priority Customers at the NBBO[29]) when quoting at the NBBO.[30] The Directed Market Maker Participation Entitlement overlay[31] would provide a Directed Market Maker with priority over interest from other non-Priority Customers for a certain percentage of contracts allocated at the same price (entitling the Directed Market Maker to a 60% allocation if there is one other non-Priority Customer at the NBBO or 40% if there are two or more other non-Priority Customers at the NBBO) when quoting at the NBBO. The Small-Size Order Entitlement overlay[32] would provide a Specialist quoting at the NBBO with priority to execute against the entire size of an order or quote of five or fewer contracts that does not first execute against any Priority Customer orders at that price, subject to certain conditions.[33]

Chapter 23—Market Participants

Chapter 23 would govern registration and obligations of market participants and includes rules that are substantially similar or substantively identical to rules from MIAX, NYSE Amex, MEMX Options, and Cboe, with the notable exception of the proposed ORP.[34]

An Options Member would be able to apply to register with the Exchange as an Options market maker (''Market Maker'' or ''Options Market Maker'') for the purpose of making transactions as a dealer-specialist.[35] Options Market Makers would be eligible to participate on IEX Options as a Registered Market Maker or Specialist.[36] Among other things, a Registered Market Maker must provide continuous two-sided quotations throughout the trading day in its appointed classes for 60% of the time the Exchange is open for trading in the issue,[37] while a Specialist must provide continuous two-sided quotations throughout the trading day in its appointed classes for 90% of the time the Exchange is open for trading in each issue,[38] provided in both instances that the options classes have a time to expiration of less than nine months.[39] Specialists would be subject to obligations in addition to those applicable to Registered Market Makers.[40] Both Specialists and Registered Market Makers could also participate as Directed Market Makers. Directed Market Makers would be subject to enhanced quoting obligations compared to Registered Market Makers.[41]

Options Risk Parameter. The Exchange proposes to offer a novel options access delay and the ORP as an optional risk parameter that would

[15] *See, e.g.,* Exchange Rules 2.160 and 2.220.

[16] *See, e.g.,* Amendment No. 1, *supra* note 7, at 12894–96.

[17] *See* Amendment No. 1, *supra* note 7, at 12892.

[18] *See id.* at 12906.

[19] *See id.* at 12905–06.

[20] *See id.* at 12907.

[21] *See id.* starting at 12897.

[22] *See id.* at 12897. The Exchange will subject incoming order and quote messages to a de minimis delay using coiled optical fiber. *See* proposed Rule 11.510(a). *See also* Amendment No. 1, *supra* note 7, at 12897, n. 66.

[23] *See* Amendment No. 1, *supra* note 7, at 12897. *See also infra* notes 45–49 and accompanying text for a discussion of the quote instability calculation.

[24] *See* Amendment No. 1, *supra* note 7, at 12897. The proposed pro-rata model is similar to the MIAX and NYSE Amex options exchanges. *See id.*

[25] *See id.* at 12900.

[26] *See id.*

[27] Proposed Rule 22.170(f) is substantially similar to Cboe Rule 5.32(a)(2), except that, unlike Cboe, in the event that a Small-Size order is directed to a Specialist, the IEX Options trading system would apply the Small-Size Order Entitlement to the order and not the Directed Order guarantee, meaning the Specialist will have priority to execute against the entire size of the order that does not execute against any Priority Customer orders at that price. *See id.* at 12900, n. 96.

[28] *See* Amendment No. 1, *supra* note 7, at 12900.

[29] These allocation entitlements are based on MIAX Rule 514(h)(1), after accounting for the additional priorities afforded market makers on MIAX, as set forth in MIAX Rule 514(e).

[30] *See* proposed Rule 22.170(f)(2). This overlay may only be in effect if the Priority Customer overlay is also in effect. *See* proposed Rule 22.170(f).

[31] *See* proposed Rule 22.170(f)(2). This overlay may only be in effect if the Priority Customer overlay is also in effect. *See* proposed Rule 22.170(f).

[32] *See* proposed Rule 22.170(f)(3).

[33] *See* proposed Rule 22.170(f)(3)(A).

[34] *See generally* Amendment No. 1, *supra* note 7, at 12903–05.

[35] *See* proposed Rule 23.100(a) and proposed Rule 17.100 (defining ''Market Makers (and Options Market Makers)'' as referring collectively to Options Members registered as either a Registered Market Maker or as a Specialist).

[36] *See* Amendment No. 1, *supra* note 7, at 12892.

[37] *See* proposed Rule 23.150(e)(2)(A).

[38] *See* proposed Rule 23.150(e)(1)(A).

[39] *See* proposed Rule 23.150, Supplementary Material .01 and Amendment No. 1, *supra* note 7, at 12893.

[40] *See* Amendment No. 1, *supra* note 7, at 12892–92.

[41] *See id.* at 12892, n. 20. While a Registered Market Maker must provide continuous two-sided quotations through the trading day in its appointed issues for 60% of the time the Exchange is open for trading in each issue, a Directed Market Maker would be required to provide continuous two-sided quotations throughout the trading day in issues for which it receives Directed Orders for 90% of the time the Exchange is open for trading in each issue.

supplement the standard risk tools available to Options Market Makers.[42] The Exchange would offer the ORP on a class-by-class basis, which ''would enable the Exchange to utilize the ORP for classes with a high potential for adverse selection, while excluding classes presenting lower risk of adverse selection (such as classes with relatively lower volumes).'' [43] According to IEX, ''the ORP is designed to enable Market Makers to provide tighter and deeper quotes on IEX by providing protection from execution against stale quotes by identifying when the best Protected Bid or best Protected Offer of the Away Markets (as defined in Proposed Rule 22.160(a)(8)) in a particular options series is sufficiently dislocated from the price of the underlying security to indicate that the best Protected Bid or best Protected Offer of the Away Markets in the options series is likely in transition.'' [44]

The ORP would be informed by the Options Quote Indicator (''Indicator'') based on the Black-Scholes options pricing model, which would ''assess the probability of an imminent change to the current best Protected Bid of the Away Markets to a lower price or of an imminent change to the current best Protected Offer of the Away Markets to a higher price for a particular listed options series (*i.e.,* an imminent adverse price change).'' [45] To perform this assessment, the Indicator would use both real time relative quoting activity of protected quotations from eleven exchanges [46] and a proprietary quote instability calculation.[47]

According to the Exchange, when the quote instability calculation ''identifies an imminent adverse price change to the best Protected Bid and/or best Protected Offer of the Away Markets in a particular listed options series, it will generate a quote instability determination'' that ''may only be generated at least 200 microseconds after a prior quote instability determination for a particular options series on the same side of the market (*i.e.,* affecting resting bids or offers).'' [48] Further, ''[i]f a quote instability determination is generated for an options series quoted by a Market Maker and the quote is above (below) the price level of the quote instability determination, the quote will be either cancelled or repriced to the price level of the quote instability determination, as instructed by the Market Maker'' in advance on its quote.[49]

The Exchange proposes to periodically determine three aspects of the Indicator's formula—the frequency of calculation of implied volatility,[50] the quote instability threshold,[51] and the delta bound band that would determine which series are eligible for the ORP.[52] When determining the first two of these factors, the Exchange states that it would consider ''the distribution of quote instability determinations, the precision of quote instability determinations, system capacity and performance, and client feedback.'' [53] The Exchange also would consider ''attributes like fill rates (resting and taking) [54] and markout data,[55] as well as other factors it determines are relevant based on operational experience in order to optimize how both variables are set'' once the IEX Options trading system begins operating.[56] Any changes to the quote instability threshold and the implied volatility calculation frequency would be communicated by Trading Alert with at least 30 days' notice.[57] In addition, the Exchange proposes to periodically determine within a range of 0 to 1, and announce by Trading Alert, the delta bound band.[58]

Chapters 24 Through 29

The Exchange proposes to adopt several chapters of rules that are substantively identical to MEMX Options rules, including Chapter 24 regarding exercises and deliveries,[59] Chapter 25 regarding records, reports, and audits,[60] Chapter 26 regarding discipline and summary suspension,[61] Chapter 27 regarding doing business with the public,[62] Chapter 28 regarding options order protection and locked and crossed markets [63] and Chapter 29 regarding margin requirements.[64]

III. Proceedings To Determine Whether To Approve or Disapprove the Proposed Rule Change

The Commission hereby institutes proceedings pursuant to Section 19(b)(2)(B) of the Act [65] to determine whether the Exchange's proposed rule change, as modified by Amendment No. 1, should be approved or disapproved. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to provide additional comment on the proposed rule change to inform the Commission's analysis of whether to approve or disapprove the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[66] the Commission is providing notice of the grounds for possible disapproval under consideration:

- Whether the Exchange has demonstrated how its proposal is consistent with Section 6(b)(5) of the Act,[67] which requires that the rules of a national securities exchange be designed, among other things, to promote just and equitable principles of trade, to remove impediments to and

[42] *See* Amendment No. 1, *supra* note 7, at 12903.

[43] *Id.*

[44] *Id.*

[45] *Id.* at 12903–04.

[46] IEX refers to these exchanges as ''Signal Exchanges.'' *See* IEX Rule 11.190(g).

[47] *See* Amendment No. 1, *supra* note 7, at 12904.

[48] *Id.*

[49] *Id.*

[50] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .05.

[51] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .04(2)(e). The quote instability threshold would be within a range of 0–1. For example, a quote instability threshold of 1 would indicate that the expected price change in the option resulting from price movement in the underlying would be 100% of the current price of the option. *See* Amendment No. 1, *supra* note 7, at 12904.

[52] *See* proposed IEX Rule 23.150(h), Supplementary Material .04(1)(q). The delta bound band would be within a range of 0–1. *See* Amendment No. 1, *supra* note 7, at 12905.

[53] Amendment No. 1, *supra* note 7, at 12904.

[54] The Exchange states that ''[f]ill rate data measures the degree to which incoming orders are able to execute against a resting order on a venue and are a measure of the percent of shares of an order that are filled (or executed) by such venue, adjusting for factors such as the size of the order compared to the size of a venue's displayed quote.'' *Id.* at n. 146.

[55] The Exchange states that ''[m]arkouts measure the direction and degree to which the market moved after an execution, and are often measured as the difference between the execution price and the midpoint of the NBBO at various time intervals after a trade. Markouts are typically used as a way to measure the 'quality' of a trade. In particular, short-term markouts of several milliseconds after the time of execution, are often used to assess whether an order was subject to 'adverse selection' that can occur when a liquidity providing order is executed at a price that was about to become stale as a result of certain speed-based trading strategies.'' *Id.* at n. 147.

[56] *Id.* at 12904.

[57] *See id.*

[58] *See* proposed IEX Rule 23.150(h), Supplementary Material .04(1)(q). *See also* Amendment No. 1, *supra* note 7, at 12905, n. 150.

[59] *See* Amendment No. 1, *supra* note 7, at 12906.

[60] *See id.*

[61] *See id.*

[62] *See id.*

[63] *See id.*

[64] *See id.*

[65] 15 U.S.C. 78s(b)(2)(B).

[66] 15 U.S.C. 78s(b)(2)(B). Section 19(b)(2)(B) of the Act also provides that proceedings to determine whether to disapprove a proposed rule change must be concluded within 180 days of the date of publication of notice of the filing of the proposed rule change. *See id.* The time for conclusion of the proceedings may be extended for up to 60 days if the Commission finds good cause for such extension and publishes its reasons for so finding, or if the exchange consents to the longer period. *See id.*

[67] 15 U.S.C. 78f(b)(5).

perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers;

• Whether the Exchange has demonstrated how its proposal is consistent with Section 6(b)(8) of the Act,[68] which requires that the rules of a national securities exchange not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act; and

• Whether the Exchange has demonstrated how its proposal is consistent with Section 19(b) of the Act,[69] which requires, among other things that each self-regulatory organization file with the Commission copies of any proposed rule or any proposed change in, addition to, or deletion from the rules of such self-regulatory organization accompanied by a concise general statement of the basis and purpose of such proposed rule change.

Of particular note, and as described above, the Exchange proposes to offer the ORP as an optional risk parameter that would supplement the standard risk tools available to Options Market Makers. The Exchange describes the ORP as ''a narrowly-tailored approach designed to appropriately balance the risks faced by market makers with the legitimate objectives of liquidity takers by providing additional optional risk protection to market makers and thereby encourage aggressive quoting.'' [70] The expected frequency with which the ORP would cancel or reprice an NBBO quote on IEX is unclear and difficult to assess, and the proposal does not yet provide any such estimate. Accordingly, the characterization of ORP as a ''narrowly-tailored approach'' merits further consideration as it is unclear how often the ORP would be expected to cancel or change quotes. Additional information about the ORP's operation can help inform whether the ORP would contribute to fair and orderly markets and remove impediments to and perfect the mechanism of a free and open market and a national market system.

As discussed above, the Exchange also proposes to give itself discretion in its rules to change the values of three components of the Indicator formula through Trading Alerts: (1) the quote instability threshold,[71] (2) the measuring period for calculating implied volatility,[72] and (3) the delta bound band.[73] Both the quote instability threshold and the delta bound band would be periodically determined by the Exchange and set at a value within a range of 0 to 1.[74] The measuring period for calculating implied volatility would be a half-hour, though the Exchange could to pick a different, shorter time-frame. The initial values selected by the Exchange for these components would not be codified in the Exchange's proposed rule text, and changes made to these values would not be filed with the Commission as proposed rule changes. Instead, the changes would be communicated by a Trading Alert.[75] Nevertheless, the Exchange states that the proposed latency mechanism is ''fully disclosed and codified in a written rule of the exchange that has become effective pursuant to Section 19 of the Act'' [76] and that the proposed ORP ''is based on a transparent formula specified in IEX's rules and related Trading Alerts.'' [77] How those components are periodically evaluated and communicated publicly merits further consideration.[78]

Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the [Act] and the rules and regulations issued thereunder . . . is on the [SRO] that proposed the rule change.'' [79] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[80] and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[81]

The Commission is instituting proceedings to allow for additional consideration and comment on the issues raised herein, including as to whether the proposal is consistent with the Act.[82]

IV. Commission's Solicitation of Comments

The Commission requests written views, data, and arguments with respect to the concerns identified above as well as any other relevant concerns. Such comments should be submitted by May 16, 2025. Rebuttal comments should be submitted by May 30, 2025. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[83]

The Commission asks that commenters address the sufficiency and merit of the Exchange's statements in support of the proposal, in addition to any other comments they may wish to submit about the proposed rule change.

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–IEX–2025–02 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange

[68] 15 U.S.C. 78f(b)(8).

[69] 15 U.S.C. 78s(b)(1).

[70] Amendment No. 1, *supra* note 7, at 12912.

[71] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .04(2)(e).

[72] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .05. As discussed above, the Exchange has proposed to calculate implied volatility for all options series with the same underlying whenever it receives an update to the best Protected Bid or best Protected Offer of the Signal Exchanges for the underlying security. The Exchange would perform this calculation ''[u]pon the first such update of each half-hour of system operation (or such shorter time-frame as communicated by Trading Alert with at least 30 days prior notice).'' *See* proposed IEX Rule 23.150(h)(1) Supplementary Material .05.

[73] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .04(1)(q).

[74] *See* proposed IEX Rule 23.150(h)(1), Supplementary Material .04(1)(q), .04(2)(e).

[75] Unlike the changes to the quote instability threshold and the measuring period for calculating implied volatility, which both require at least 30 days of notice, the Exchange did not propose a fixed advance notice period for changes to the delta bound band.

[76] Amendment No. 1, *supra* note 7, at 12910.

[77] *Id.* at 12911.

[78] 15 U.S.C. 78s(b)(1).

[79] 17 CFR 201.700(b)(3).

[80] *See id.*

[81] *See id.*

[82] *See* 15 U.S.C. 78f(b)(5) and (8).

[83] 15 U.S.C. 78s(b)(2). Section 19(b)(2) of the Act grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by an SRO. *See* Securities Acts Amendments of 1975, Report of the Senate Committee on Banking, Housing and Urban Affairs to Accompany S. 249, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–IEX–2025–02. 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–IEX–2025–02 and should be submitted on or before May 16, 2025.

Rebuttal comments should be submitted by May 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[84]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–07105 Filed 4–24–25; 8:45 am]

BILLING CODE 8011–01–P

[84] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102892; File No. SR–CboeBZX–2025–053]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To List and Trade Shares of the Canary SUI ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

April 21, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on April 8, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to list and trade shares of the Canary SUI ETF (the ''Trust''),[3] under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Trust was formed as a Delaware statutory trust on February 27, 2025, and is operated as a C corporation. The Trust has no fixed termination date.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade the Shares under BZX Rule 14.11(e)(4),[4] which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.[5] Canary Capital Group LLC is the sponsor of the Trust (the ''Sponsor''). The Shares will be registered with the Commission by means of the Trust's registration statement on Form S–1 (the ''Registration Statement'').[6] According to the Registration Statement, the Trust is neither an investment company registered under the Investment Company Act of 1940, as amended,[7] nor a commodity pool for purposes of the Commodity Exchange Act (''CEA''), and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

Since 2017, the Commission has approved or disapproved exchange filings to list and trade series of Trust Issued Receipts, including spot-based Commodity-Based Trust Shares, on the basis of whether the listing exchange has in place a comprehensive surveillance sharing agreement with a regulated market of significant size related to the underlying commodity to be held (the ''Winklevoss Test'').[8] The

[4] The Commission approved BZX Rule 14.11(e)(4) in Securities Exchange Act Release No. 65225 (August 30, 2011), 76 FR 55148 (September 6, 2011) (SR–BATS–2011–018).

[5] Any of the statements or representations regarding the index composition, the description of the portfolio or reference assets, limitations on portfolio holdings or reference assets, dissemination and availability of index, reference asset, and intraday indicative values, or the applicability of Exchange listing rules specified in this filing to list a series of Other Securities (collectively, ''Continued Listing Representations'') shall constitute continued listing requirements for the Shares listed on the Exchange.

[6] *See* the Registration Statement on Form S–1, dated March 17, 2025, submitted by the Sponsor on behalf of the Trust. The descriptions of the Trust, the Shares, and the Pricing Benchmark (as defined below) contained herein are based, in part, on information in the Registration Statement. The Registration Statement is not yet effective, and the Shares will not trade on the Exchange until such time that the Registration Statement is effective.

[7] 15 U.S.C. 80a–1.

[8] *See* Securities Exchange Act Release Nos. 78262 (July 8, 2016), 81 FR 78262 (July 14. 2016) (the ''Winklevoss Proposal''). The Winklevoss Proposal was the first exchange rule filing proposing to list and trade shares of an ETP that would hold spot bitcoin (a ''Spot Bitcoin ETP''). It was subsequently disapproved by the Commission. *See* Securities Exchange Act Release No. 83723 (July 26, 2018), 83 FR 37579 (August 1, 2018) (the ''Winklevoss Order''); 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (Self-Regulatory Organizations;

Commission has also consistently recognized that this not the *exclusive* means by which an ETP listing exchange can meet this statutory obligation.[9] A listing exchange could, alternatively, demonstrate that ''other means to prevent fraudulent and manipulative acts and practices will be sufficient'' to justify dispensing with a surveillance-sharing agreement with a regulated market of significant size.[10]

The Commission recently issued orders granting approval for proposals to list bitcoin- and ether-based commodity trust shares and bitcoin-based, ether-based, and a combination of bitcoin- and ether-based trust issued receipts (these proposed funds are nearly identical to the Trust, but proposed to hold bitcoin and/or ether, respectively, instead of SUI) (''Spot Bitcoin ETPs'' and ''Spot ETH ETPs''). In both the Spot Bitcoin ETP Approval Order and Spot ETH ETP Approval Order, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. Specifically, the Commission found that while the Chicago Mercantile Exchange (''CME'') futures market for both bitcoin and ether were not of ''significant size'' related to the spot market, the Exchange demonstrated that other means could be reasonably expected to assist in surveilling for fraudulent and manipulative acts and practices in the specific context of the proposals.

As further discussed below, both the Exchange and the Sponsor believe that this proposal and the included analysis are sufficient to establish that the proposal is consistent with the Act itself and, additionally, that there are sufficient ''other means'' of preventing fraud and manipulation that warrant dispensing of the surveillance-sharing agreement with a regulated market of significant size, as was done with both Spot Bitcoin ETPs and Spot ETH ETPs, and that this proposal should be approved.

Background

SUI is the native, proof-of-stake cryptographic token of the SUI Network, a decentralized blockchain platform designed to support a wide range of applications. Unlike traditional blockchain models that rely on sequential transaction execution, SUI's architecture enables parallel transaction execution, significantly increasing throughput. The SUI Network employs a dual-layer consensus mechanism known as Narwhal and Bullshark, which decouples transaction ordering from execution. This architecture improves network security, ensures fast finality, and enhances scalability.

The SUI Network operates on a delegated proof-of-stake model, where validators stake SUI to secure the network, validate transactions, and participate in governance. Validators play a critical role in maintaining network integrity by verifying transactions and executing smart contracts. SUI token holders can delegate their tokens to validators, who are elected based on stake weight. The SUI Network employs a quadratic voting mechanism to ensure a more decentralized and fair distribution of voting power, preventing any single validator or small group from gaining excessive control.

Unlike other digital assets such as Bitcoin, which are created through mining, ten billion SUI were created at the genesis block at the launch of the SUI Network. This fixed total supply means no additional SUI will be minted beyond this limit. At network launch, the initial ten billion SUI were allocated across various stakeholders.

The SUI token serves multiple functions within the SUI Network, including securing the network through staking, enabling governance participation, and facilitating the payment of transaction fees. All transactions on the SUI Network require SUI to pay for gas fees, which cover the computational resources necessary for processing and validating transactions.

The SUI Network employs the ''Move'' programming language, which is designed to provide a safe and flexible environment for writing smart contracts. Move's key features include resource scarcity, which ensures that digital assets cannot be duplicated, and a strong type system that prevents common programming errors. The network can handle a large number of transactions per second, making it suitable for applications that require high throughput, such as gaming and high-frequency trading. SUI can be transferred in direct peer-to-peer transactions through the direct sending of SUI over the SUI Network from one SUI address to another.

As noted above, this proposal is to list and trade shares of the Trust that would hold spot SUI and, as described below, cause the Trust to stake a portion of its SUI.

Section 6(b)(5) and the Applicable Standards

The Commission has approved numerous series of Trust Issued Receipts,[11] including Commodity-Based Trust Shares,[12] to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange's rules are designed to prevent fraudulent and manipulative acts and practices; [13] and

NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Spot Bitcoin ETP Approval Order''); 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024) (Self-Regulatory Organizations; NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''Spot ETH ETP Approval Order'').

[9] *See* Winklevoss Order, 83 FR at 37580; *see* Spot Bitcoin ETP Approval Order, 89 FR at 3009; *see* Spot ETH ETP Approval Order 89 FR at 46938.

[10] The Exchange notes that that the Winklevoss Test was first applied in 2017 in the Winklevoss Order, which was the first disapproval order related to an exchange proposal to list and trade a Spot Bitcoin ETP. All prior approval orders issued by the Commission approving the listing and trading of series of Trust Issued Receipts included no specific analysis related to a ''regulated market of significant size.''In the Winklevoss Order and the Commission's prior orders approving the listing and trading of series of Trust Issued Receipts have noted that the spot commodities and currency markets for which it has previously approved spot ETPs are generally unregulated and that the Commission relied on the underlying futures market as the regulated market of significant size that formed the basis for approving the series of Currency and Commodity-Based Trust Shares, including gold, silver, platinum, palladium, copper, and other commodities and currencies. The Commission specifically noted in the Winklevoss Order that the approval order issued related to the first spot gold ETP ''was based on an assumption that the currency market and the spot gold market were largely unregulated.'' *See* Winklevoss Order at 37592. As such, the regulated market of significant size test does not require that the spot market be regulated in order for the Commission to approve this proposal, and precedent makes clear that an underlying market for a spot commodity or currency being a regulated market would actually be an exception to the norm. These largely unregulated currency and commodity markets do not provide the same protections as the markets that are subject to the Commission's oversight, but the Commission has consistently looked to surveillance sharing agreements with the underlying futures market in order to determine whether such products were consistent with the Act.

[11] *See* Exchange Rule 14.11(f).

[12] Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

[13] Much like bitcoin and ETH, the Exchange believes that SUI is resistant to price manipulation and that ''other means to prevent fraudulent and manipulative acts and practices'' exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of SUI trading render it difficult

Continued

(ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the ''regulated market of significant size'' standard is not the only means for satisfying Section 6(b)(5) of the Act. In the specifically providing that a listing exchange could demonstrate that ''other means to prevent fraudulent and manipulative acts and practices'' are sufficient to justify dispensing with the requisite surveillance-sharing agreement.[14] While there is currently a futures market for SUI, in the Spot Bitcoin ETF Approval Order and Spot ETH ETF Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of ''significant size'' related to the spot market. Instead, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing fraud and manipulation justify dispensing with a surveillance-sharing agreement of significant size.

Over the past several years, U.S. investor exposure to SUI, through OTC SUI Funds and digital asset trading platforms, has grown into billions of dollars with a fully diluted market cap of greater than $22.5 billion. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to SUI in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors by: (i) reducing premium and discount volatility; (ii) reducing management fees through meaningful competition; and (iii) providing an alternative to custodying spot SUI.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the underlying reference asset ($22.5 billion fully diluted value) and the nature of the SUI ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of SUI trading makes it difficult and prohibitively costly to manipulate the price of SUI and, in many instances, the SUI market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that there is not inside information about revenue, earnings, corporate activities, or sources of supply; manipulation of the price on any single venue would require manipulation of the global SUI price in order to be effective; a substantial over-the-counter market provides liquidity and shock-absorbing capacity; SUI's 24/7/365 nature provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, SUI is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including SUI. Further, the Exchange believes that the fragmentation across SUI trading platforms and increased adoption of SUI, as displayed through increased user engagement and trading volumes, and the SUI Network make manipulation of SUI prices through continuous trading activity more difficult. Moreover, the linkage between the SUI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SUI price on any single venue would require manipulation of the global SUI price in order to be effective. Arbitrageurs must have funds distributed across multiple SUI trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular SUI trading platform. As a result, the potential for manipulation on a particular SUI trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, SUI is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Canary SUI ETF

CSC Delaware Trust Company is the trustee (''Trustee''). A third party will be the administrator (''Administrator'') and transfer agent (''Transfer Agent'') and will be responsible for the custody of the Trust's cash and cash equivalents [15] (the ''Cash Custodian''). A third-party custodian (the ''Custodian'') will be responsible for custody of the Trust's SUI.

According to the Registration Statement, each Share will represent a fractional undivided beneficial interest in and ownership of the Trust. The Trust's assets will only consist of SUI, cash, or cash and cash equivalents.

According to the Registration Statement, the Trust will be neither an investment company registered under the Investment Company Act of 1940, as amended,[16] nor a commodity pool for purposes of the CEA, and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

The Sponsor may stake, or cause to be staked, all or a portion of the Trust's SUI through one or more trusted staking providers (''Staking Providers''). In consideration for any staking activity in which the Trust may engage, the Trust would receive all or a portion of the staking rewards generated through staking activities, which may be treated

and prohibitively costly to manipulate the price of SUI. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of SUI prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of SUI on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between SUI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SUI on any single venue would require manipulation of the global SUI price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the SUI Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

[14] *See* Winklevoss Order at 37580. The Commission has also specifically noted that it ''is not applying a 'cannot be manipulated' standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the validity of its contentions and to establish that the requirements of the Exchange Act have been met.'' *Id.* at 37582.

[15] Cash equivalents are short-term instruments with maturities of less than 3 months.

[16] 15 U.S.C. 80a–1.

as income to the Trust. The Trust will not acquire and will disclaim any incidental right (''IR''), or IR asset received, for example as a result of forks or airdrops, and such assets will not be taken into account for purposes of determining NAV.

When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 10,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). For creations, authorized participants will deliver cash to the Trust's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved creation order, the Sponsor, on behalf of the Trust, will submit an order to buy the amount of SUI represented by a Creation Basket. Based off SUI executions, the Cash Custodian will request the required cash from the authorized participant; the Transfer Agent will only issue Shares when the authorized participant has made delivery of the cash. Following receipt by the Cash Custodian of the cash from an authorized participant, the Sponsor, on behalf of the Trust, will approve an order with one or more previously onboarded trading partners to purchase the amount of SUI represented by the Creation Basket. This purchase of SUI will normally be cleared through an affiliate of the Custodian (although the purchase may also occur directly with the trading partner) and the SUI will settle directly into the Trust's account at the Custodian.[17] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

Investment Objective

According to the Registration Statement and as further described below, the Trust's investment objective is to seek to track the performance of SUI, as measured by the CoinDesk SUI USD CCIX 60 min NY Rate (''Pricing Benchmark''), adjusted for the Trust's expenses and other liabilities. In seeking to achieve its investment objective, the Trust will hold SUI and will value its Shares daily as of 4:00 p.m. ET using the same methodology used to calculate the Pricing Benchmark. All of the Trust's SUI will be held by the Custodian.

The Pricing Benchmark

As described in the Registration Statement, The Trust will use the Pricing Benchmark to calculate the Trust's NAV. The Trust will determine the SUI Pricing Benchmark price and value its Shares daily based on the value of SUI as reflected by the Pricing Benchmark. The Pricing Benchmark will be calculated daily and aggregates the notional value of SUI trading across major SUI spot trading platforms, as determined by the provider.

Net Asset Value

NAV means the total assets of the Trust (which includes all SUI and cash and cash equivalents) less total liabilities of the Trust. The Administrator determines the NAV of the Trust on each day that the Exchange is open for regular trading, as promptly as practical after 4:00 p.m. ET based on the closing value of the Pricing Benchmark. The NAV of the Trust is the aggregate value of the Trust's assets less its estimated accrued but unpaid liabilities (which include accrued expenses). In determining the NAV, the Administrator values the SUI held by the Trust based on the closing value of the Pricing Benchmark as of 4:00 p.m. ET. The Administrator also determines the NAV per Share. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust's SUI holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day's NAV per Share and the reported BZX Official Closing Price; [18] (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor's website at *https://canary.capital*, or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the Consolidated Tape Association (''CTA''). The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value (''IIV'') will be updated during Regular Trading Hours to reflect changes in the value of the Trust's SUI holdings during the trading day. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4 p.m. ET, whereas the IIV draws prices from the last trade on each constituent platform in an effort to produce a relevant, real-time price). The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange's Regular Trading Hours through the facilities of the CTA and Consolidated Quotation System (CQS) high speed lines. In addition, the IIV will be available through on-line information services, such as Bloomberg and Reuters.

The price of SUI will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for SUI is widely disseminated through a variety of major market data vendors,

[17] For redemptions, the process will occur in the reverse order. Upon receipt of an approved redemption order, the Sponsor, on behalf of the Trust, will submit an order to sell the amount of SUI represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the 10,000 Shares are received by the Transfer Agent.

[18] As defined in Rule 11.23(a)(3), the term ''BZX Official Closing Price'' shall mean the price disseminated to the consolidated tape as the market center closing trade.

including Bloomberg and Reuters. Information relating to trading, including price and volume information, in SUI is available from major market data vendors and from the trading platforms on which SUI are traded. Depth of book information is also available from SUI trading platforms. The normal trading hours for SUI trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

The Custodian

The Custodian's services (i) allow SUI to be deposited from a public blockchain address to the Trust's SUI account; (ii) allow SUI to be withdrawn from the SUI account to a public blockchain address as instructed by the Trust; and (iii) allow SUI to be staked. The custody agreement requires the Custodian to hold the Trust's SUI in cold storage, unless required to facilitate withdrawals as a temporary measure. The Custodian will use segregated cold storage SUI addresses for the Trust which are separate from the SUI addresses that the Custodian uses for its other customers and which are directly verifiable via the SUI blockchain. The Custodian will safeguard the private keys to the SUI associated with the Trust's SUI account. The Custodian will at all times record and identify in its books and records that such SUI constitutes the property of the Trust. The Custodian will not withdraw the Trust's SUI from the Trust's account with the Custodian, or loan, hypothecate, pledge or otherwise encumber the Trust's SUI, without the Trust's instruction. If the custody agreement terminates, the Sponsor may appoint another custodian, and the Trust may enter into a custodian agreement with such custodian.

Creation and Redemption of Shares

When the Trust sells or redeems its Shares, it will do so in cash transactions in 10,000 Share increments (a Creation Basket) that are based on the amount of SUI held by the Trust on a per Creation Basket basis. According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by 4:00 p.m. ET, or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is received is considered the purchase order date. The total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received. The Administrator determines the quantity of SUI associated with a Creation Basket for a given day by dividing the number of SUI held by the Trust as of the opening of business on that business day, adjusted for the amount of SUI constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The authorized participants will deliver only cash to create Shares and will receive only cash when redeeming Shares. Further, authorized participants will not directly or indirectly purchase, hold, deliver, or receive SUI as part of the creation or redemption process or otherwise direct the Trust or a third party with respect to purchasing, holding, delivering, or receiving SUI as part of the creation or redemption process.

The Trust will create Shares by receiving SUI from a third party that is not the authorized participant and the Trust—not the authorized participant—is responsible for selecting the third party to facilitate the delivery of SUI. Further, the third party will not be acting as an agent of the authorized participant with respect to the delivery of the SUI to the Trust or acting at the direction of the authorized participant with respect to the delivery of the SUI to the Trust. When fulfilling a redemption request, the Trust will redeem shares by delivering SUI to a third party that is not the authorized participant and the Trust—not the authorized participant—is responsible for selecting such third party to receive the SUI. Further, the third party will not be acting as an agent of the authorized participant with respect to the receipt of the SUI from the Trust or acting at the direction of the authorized participant with respect to the receipt of the SUI from the Trust.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets.

The Sponsor will maintain ownership and control of SUI in a manner consistent with good delivery requirements for spot commodity transactions.

Rule 14.11(e)(4)—Commodity-Based Trust Shares

The Shares will be subject to BZX Rule 14.11(e)(4), which sets forth the initial and continued listing criteria applicable to Commodity-Based Trust Shares. The Exchange represents that, for initial and continued listing, the Trust must be in compliance with Rule 10A–3 under the Act. A minimum of 100,000 Shares will be outstanding at the commencement of listing on the Exchange. The Exchange will obtain a representation that the NAV will be calculated daily and that the NAV and information about the assets of the Trust will be made available to all market participants at the same time. The Exchange notes that, as defined in Rule 14.11(e)(4)(C)(i), the Shares will be: (a) issued by a trust that holds (1) a specified commodity [19] deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash.

Upon termination of the Trust, the Shares will be removed from listing. The Trustee, CSC Delaware Trust Company, is a trust company having substantial capital and surplus and the experience and facilities for handling corporate trust business, as required under Rule 14.11(e)(4)(E)(iv)(a) and that no change will be made to the trustee without prior notice to and approval of the Exchange. The Exchange also notes that, pursuant to Rule 14.11(e)(4)(F), neither the Exchange nor any agent of the Exchange shall have any liability for damages, claims, losses or expenses caused by any errors, omissions or delays in calculating or disseminating any underlying commodity value, the current value of the underlying commodity required to be deposited to the Trust in connection with issuance of Commodity-Based Trust Shares; resulting from any negligent act or omission by the Exchange, or any agent of the Exchange, or any act, condition or

[19] For purposes of Rule 14.11(e)(4), the term commodity takes on the definition of the term as provided in the Commodity Exchange Act.

cause beyond the reasonable control of the Exchange, its agent, including, but not limited to, an act of God; fire; flood; extraordinary weather conditions; war; insurrection; riot; strike; accident; action of government; communications or power failure; equipment or software malfunction; or any error, omission or delay in the reports of transactions in an underlying commodity. Finally, as required in Rule 14.11(e)(4)(G), the Exchange notes that any registered market maker (''Market Maker'') in the Shares must file with the Exchange in a manner prescribed by the Exchange and keep current a list identifying all accounts for trading in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, which the registered Market Maker may have or over which it may exercise investment discretion. No registered Market Maker shall trade in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, in an account in which a registered Market Maker, directly or indirectly, controls trading activities, or has a direct interest in the profits or losses thereof, which has not been reported to the Exchange as required by this Rule. In addition to the existing obligations under Exchange rules regarding the production of books and records (see, *e.g.,* Rule 4.2), the registered Market Maker in Commodity-Based Trust Shares shall make available to the Exchange such books, records or other information pertaining to transactions by such entity or registered or non-registered employee affiliated with such entity for its or their own accounts for trading the underlying physical commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, as may be requested by the Exchange.

The Exchange is able to obtain information regarding trading in the Shares and the underlying SUI or any other SUI derivative through members acting as registered Market Makers, in connection with their proprietary or customer trades.

As a general matter, the Exchange has regulatory jurisdiction over its Members and their associated persons, which include any person or entity controlling a Member. To the extent the Exchange may be found to lack jurisdiction over a subsidiary or affiliate of a Member that does business only in commodities or futures contracts, the Exchange could obtain information regarding the activities of such subsidiary or affiliate through surveillance sharing agreements with regulatory organizations of which such subsidiary or affiliate is a member.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. The Exchange will halt trading in the Shares under the conditions specified in BZX Rule 11.18. Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) the extent to which trading is not occurring in the SUI underlying the Shares; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 14.11(e)(4)(E)(ii), which sets forth circumstances under which trading in the Shares may be halted.

If the IIV or the value of the Pricing Benchmark is not being disseminated as required, the Exchange may halt trading during the day in which the interruption to the dissemination of the IIV or the value of the Pricing Benchmark occurs. If the interruption to the dissemination of the IIV or the value of the Pricing Benchmark persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption.

In addition, if the Exchange becomes aware that the NAV with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV is available to all market participants.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. BZX will allow trading in the Shares during all trading sessions on the Exchange. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in BZX Rule 11.11(a) the minimum price variation for quoting and entry of orders in securities traded on the Exchange is $0.01 where the price is greater than $1.00 per share or $0.0001 where the price is less than $1.00 per share. The Shares of the Trust will conform to the initial and continued listing criteria set forth in BZX Rule 14.11(e)(4).

Surveillance

The Exchange represents that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. FINRA conducts certain cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares or any other SUI derivative with other markets and other entities that are members of the ISG, and the Exchange, or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares or any other SUI derivative from such markets and other entities.[20] The Exchange may obtain information regarding trading in the Shares or any other SUI derivative via ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

The Sponsor has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (i) the procedures for the creation and redemption of Creation Baskets (and

[20] For a list of the current members and affiliate members of ISG, *see www.isgportal.com.*

that the Shares are not individually redeemable); (ii) BZX Rule 3.7, which imposes suitability obligations on Exchange members with respect to recommending transactions in the Shares to customers; (iii) how information regarding the IIV and the Trust's NAV are disseminated; (iv) the risks involved in trading the Shares outside of Regular Trading Hours [21] when an updated IIV will not be calculated or publicly disseminated; (v) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (vi) trading information. The Information Circular will also reference the fact that there is no regulated source of last sale information regarding SUI, and that the Commission has no jurisdiction over the trading of SUI as a commodity.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Shares. Members purchasing the Shares for resale to investors will deliver a prospectus to such investors. The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act [22] in general and Section 6(b)(5) of the Act [23] in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Commission has approved numerous series of Trust Issued Receipts,[24] including Commodity-Based Trust Shares,[25] to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange's rules are designed to prevent fraudulent and manipulative acts and practices; [26] and (ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the ''regulated market of significant size'' standard is not the only means for satisfying Section 6(b)(5) of the Act. In the specifically providing that a listing exchange could demonstrate that ''other means to prevent fraudulent and manipulative acts and practices'' are sufficient to justify dispensing with the requisite surveillance-sharing agreement.[27] While there is currently a futures market for SUI, in the Spot Bitcoin ETF Approval Order and Spot ETH ETF Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of ''significant size'' related to the spot market. Instead, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing fraud and manipulation justify dispensing with a surveillance-sharing agreement of significant size.

The Exchange believes that the proposal is designed to protect investors and the public interest. Over the past several years, U.S. investor exposure to SUI, through OTC SUI Funds and digital asset trading platforms, has grown into billions of dollars with a fully diluted market cap of greater than $22.5 billion. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to SUI in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors by: (i) reducing premium and discount volatility; (ii) reducing management fees SUI meaningful competition; and (iii) providing an alternative to custodying spot SUI.

The Exchange believes that the policy concerns are mitigated by the fact that the size of the market for the underlying reference asset ($22.5+ billion fully diluted value) and the nature of the SUI ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of SUI trading makes it difficult and prohibitively costly to manipulate the price of SUI and, in many instances, the SUI market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that there is not inside information about revenue, earnings, corporate activities, or sources of supply; manipulation of the price on any single venue would require manipulation of the global SUI price in order to be effective; a substantial over-the-counter market provides liquidity and shock-absorbing capacity; SUI's 24/7/365 nature provides constant arbitrage

[21] Regular Trading Hours is the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

[22] 15 U.S.C. 78f.

[23] 15 U.S.C. 78f(b)(5).

[24] *See* Exchange Rule 14.11(f).

[25] Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

[26] Much like bitcoin and ETH, the Exchange believes that SUI is resistant to price manipulation and that ''other means to prevent fraudulent and manipulative acts and practices'' exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of SUI trading render it difficult and prohibitively costly to manipulate the price of SUI. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of SUI prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of SUI on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between SUI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SUI on any single venue would require manipulation of the global SUI price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the SUI Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

[27] *See* Winklevoss Order at 37580. The Commission has also specifically noted that it ''is not applying a 'cannot be manipulated' standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the validity of its contentions and to establish that the requirements of the Exchange Act have been met.'' *Id.* at 37582.

opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, SUI is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including SUI. Further, the Exchange believes that the fragmentation across SUI trading platforms and increased adoption of SUI, as displayed through increased user engagement and trading volumes, and the SUI Network make manipulation of SUI prices through continuous trading activity more difficult. Moreover, the linkage between the SUI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SUI price on any single venue would require manipulation of the global SUI price in order to be effective. Arbitrageurs must have funds distributed across multiple SUI trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular SUI trading platform. As a result, the potential for manipulation on a particular SUI trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, SUI is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Commodity-Based Trust Shares

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed on the Exchange pursuant to the initial and continued listing criteria in Exchange Rule 14.11(e)(4). The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. The issuer has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12. The Exchange may obtain information regarding trading in the Shares and listed SUI derivatives via the ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust's SUI holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day's NAV per Share and the reported BZX Official Closing Price;[28] (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor's website at *www.canary.capital,* or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA. The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value (''IIV'') will be updated during Regular Trading Hours to reflect changes in the value of the Trust's SUI holdings during the trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4:00 p.m. Eastern time whereas the IIV draws prices from the last trade on each constituent platform to produce a relevant, real-time price. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day. The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange's Regular Trading Hours through the facilities of the CTA and CQS high speed lines. In addition, the IIV will be available through on-line information services such as Bloomberg and Reuters.

The price of SUI will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for SUI is widely disseminated through a variety of major market data vendors, including Bloomberg and Reuters. Information relating to trading, including price and volume information, in SUI is available from major market data vendors and from the trading platforms on which SUI are traded. Depth of book information is also available from SUI trading platforms. The normal trading hours for SUI trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

In sum, the Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the

[28] As defined in Rule 11.23(a)(3), the term ''BZX Official Closing Price'' shall mean the price disseminated to the consolidated tape as the market center closing trade.

Act, that on the whole the manipulation concerns previously articulated by the Commission are sufficiently mitigated to the point that they are outweighed by investor protection issues that would be resolved by approving this proposal.

The Exchange believes that the proposal is, in particular, designed to protect investors and the public interest. The investor protection issues for U.S. investors has grown significantly over the last several years, through premium/discount volatility and management fees for OTC SUI Funds. As discussed throughout, this growth investor protection concerns need to be re-evaluated and rebalanced with the prevention of fraudulent and manipulative acts and practices concerns that previous disapproval orders have relied upon.

For the above reasons, the Exchange believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act. The Exchange notes that the proposed rule change, rather will facilitate the listing and trading of an additional exchange-traded product that will enhance competition among both market participants and listing venues, to the benefit of investors and the marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2025–053 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–2025–053. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–053 and should be submitted on or before May 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102894; File No. SR–FICC–2025–008]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing of Proposed Rule Change Concerning the Collection of Intraday Margin

April 21, 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 April 15, 2025, Fixed Income Clearing Corporation (''FICC'') 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 clearing agency. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') and Mortgage-Backed Securities Division (''MBSD'') Clearing Rules (''MBSD Rules,'' and collectively with the GSD Rules, the ''Rules'') to address recently adopted amendments to the Commission's Standards for Covered Clearing Agencies (''CCAS Rules'') concerning the collection of intraday margin.[3]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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

[29] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Capitalized terms not defined herein shall have the meaning assigned to such terms in the Rules, *available at www.dtcc.com/legal/rules-and-procedures.*

places specified in Item IV below. The clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Executive Summary of Proposed Changes

On October 25, 2024, the Commission adopted amendments to the CCAS Rules to add new requirements related to the collection of intraday margin by a covered clearing agency (''CCA'').[4] Specifically, the Commission amended Rule 17ad–22(e)(6)(ii) [5] to establish new requirements with respect to a CCA's policies and procedures regarding the collection of intraday margin to: (i) include a new requirement to monitor intraday exposures on an ongoing basis; (ii) modify the preexisting reference to making intraday calls ''in defined circumstances'' to making intraday calls ''as frequently as circumstances warrant'' and identifying examples of such circumstances; and (iii) require that a CCA document when it determines not to make an intraday margin call pursuant to its written policies and procedures.[6] As described below, the proposed changes to the Rules are designed to facilitate compliance with these requirements.

Background

FICC, through GSD and MBSD, serves as a central counterparty and provider of clearance and settlement services for fixed income transactions. GSD provides central counterparty services in U.S. government securities, as well as repurchase and reverse repurchase transactions involving U.S. government securities,[7] and MBSD provides such services to the U.S. mortgage-backed securities market. As part of its market risk management strategy, FICC manages its credit exposure to members by determining the appropriate Required Fund Deposit to the GSD and MBSD Clearing Funds (collectively, the ''Clearing Fund'') and by monitoring their sufficiency, as provided for in the Rules.[8] The Required Fund Deposit serves as each member's margin.

The objective of a member's Required Fund Deposit is to mitigate potential losses to FICC associated with liquidating a member's portfolio in the event FICC ceases to act for that member (hereinafter referred to as a ''default'').[9] The aggregate amount of all members' Required Fund Deposits constitutes the Clearing Fund. FICC would access the Clearing Fund should a defaulting member's own Required Fund Deposit be insufficient to satisfy losses to FICC caused by the liquidation of that member's portfolio.

At GSD, each member is also responsible for the Clearing Fund obligations arising from the activity of the member's indirect participant customers submitted to FICC via the Sponsored Service and/or the Agent Clearing Service. FICC's Sponsored Service permits GSD members that are approved to be Sponsoring Members, to sponsor certain institutional firms, referred to as ''Sponsored Members,'' into GSD membership.[10] FICC establishes and maintains a ''Sponsoring Member Omnibus Account'' on its books in which it records the transactions of the Sponsoring Member's Sponsored Members (''Sponsored Member Trades'').[11] Similarly, FICC's Agent Clearing Service permits GSD members that are approved to be Agent Clearing Members to submit activities of certain institutional firms, referred to as ''Executing Firm Customers,'' into FICC for clearing and settlement. FICC establishes and maintains an ''Agent Clearing Member Omnibus Account'' on its books in which it records the transactions of the Agent Clearing Member's Executing Firm Customers (''Agent Clearing Transactions'').[12]

Both the Sponsoring Members and the Agent Clearing Members have the option of segregating Sponsored Member Trades of a Sponsored Member and Agent Clearing Transactions of an Executing Firm Customer, as applicable, in separate accounts (*i.e.,* Segregated Indirect Participant Accounts), each such Sponsored Member and Executing Firm Customer being referred to as a ''Segregated Indirect Participant.'' FICC manages its credit exposure to Segregated Indirect Participants by determining the appropriate Segregated Customer Margin Requirement and monitoring its sufficiency, as provided for in the GSD Rules.[13]

Pursuant to the Rules, each member's Required Fund Deposit amount (and Segregated Customer Margin Requirement amount, to the extent applicable) consists of a number of components, each of which is calculated to address specific risks faced by FICC, as identified within the Rules.[14] At GSD, these components include the VaR Charge, Blackout Period Exposure Adjustment, Backtesting Charge, Excess Capital Premium, Holiday Charge, Intraday Supplemental Fund Deposit, Margin Liquidity Adjustment Charge, Portfolio Differential Charge, and special charge.[15] At MBSD, these components include the VaR Charge, Backtesting Charge, Excess Capital Premium, Holiday Charge, Intraday Mark-to-Market Charge, Intraday VaR Charge, Margin Liquidity Adjustment Charge, and special charge.[16]

Overview of Intraday Monitoring and Margin Collection

Each GSD and MBSD member is required to meet its Required Fund Deposit, which is based on the member's outstanding positions as well as its intraday trading and settlement activity. Each GSD member with Segregated Indirect Participant Account(s) is also required to meet its Segregated Customer Margin Requirements, which is based on its Segregated Indirect Participants' outstanding positions as well as their intraday trading and settlement activity. FICC resizes a member's Required Fund

[4] Securities Exchange Act Release No. 101446 (Oct. 25, 2024), 89 FR 91000 (Nov. 18, 2024) (File No. S7–10–23) (''Adopting Release,'' and the rules adopted therein referred to herein as ''CCAS Margin Rules'').

[5] 17 CFR 240.17ad–22(e)(6)(ii).

[6] *See* Adopting Release, *supra* note 4 at 91000.

[7] GSD also clears and settles certain transactions on securities issued or guaranteed by U.S. government agencies and government sponsored enterprises.

[8] *See* GSD Rule 4 (Clearing Fund and Loss Allocation) and MBSD Rule 4 (Clearing Fund and Loss Allocation), *supra* note 3. FICC's market risk management strategy is designed to comply with Rule 17ad–22(e)(4) under the Act, where these risks are referred to as ''credit risks.'' 17 CFR 240.17ad–22(e)(4).

[9] The Rules identify when FICC may cease to act for a member and the types of actions FICC may take. For example, FICC may suspend a firm's membership with FICC or prohibit or limit a member's access to FICC's services in the event that member defaults on a financial or other obligation to FICC. *See* GSD Rule 21 (Restrictions on Access to Services) and MBSD Rule 14 (Restrictions on Access to Services), *supra* note 3.

[10] *See* GSD Rule 3A, *supra* note 3.

[11] *See* GSD Rule 1 (definition of ''Sponsored Member Trades''), *supra* note 3.

[12] *See* GSD Rule 1 (definition of ''Agent Clearing Transactions''), *supra* note 3.

[13] *See* GSD Margin Component Schedule, *supra* note 3.

[14] *Supra* note 3.

[15] These margin components and the relevant defined terms are currently located in the GSD Margin Component Schedule, *supra* note 3. FICC recently proposed changes to the GSD Rules to adopt a Volatility Event Charge and an Intraday Mark-to-Market Charge. *See* Securities Exchange Release Nos. 102532 (Mar. 5, 2025), 90 FR 11760 (Mar. 11, 2025) (SR–FICC–2025–003) and 102705 (Mar. 21, 2025) 90 FR 13965 (Mar. 27, 2025) (SR–FICC–2025–005), respectively.

[16] These margin components and the relevant defined terms are currently located in MBSD Rules 1 (Definitions), 3 (Ongoing Membership Requirements) and 4 (Clearing Fund and Loss Allocation), *supra* note 3.

Deposit (and Segregated Customer Margin Requirement, if applicable) at least twice a day for GSD members and once a day for MBSD members. In addition, FICC may call for additional margin on an intraday basis, as needed. Specifically, GSD's Intraday Supplemental Fund Deposit and MBSD's Intraday VaR Charge as well as Intraday Mark-to-Market Charge are each designed to mitigate intraday exposure to GSD and MBSD, respectively, that results from large fluctuations in the member's/Segregated Indirect Participant's portfolio positions and prices that are not otherwise covered by the member's recently collected Required Fund Deposit/Segregated Customer Margin Requirement.[17] Any such amount must be satisfied within the timeframe specified by GSD and MBSD.

Intraday market moves and positions are monitored by FICC on an ongoing basis. FICC generally conducts intraday monitoring every 15 minutes at GSD and hourly at MBSD,[18] unless extended by FICC to address operational or other delays. For GSD, intraday monitoring is conducted between 8:00 a.m. (New York time) and 4:30 p.m. (New York time).[19] For MBSD, intraday monitoring is conducted from 8:00 a.m. (New York time) to 4:00 p.m. (New York time).

FICC reviews intraday snapshots of each member's portfolio to determine whether the member has experienced an adverse risk exposure that warrants FICC assessing an intraday margin. Through this filing, FICC is providing additional clarity and transparency in the Rules concerning FICC's processes for the ongoing monitoring, recalculation and collection of Intraday Supplemental Fund Deposit at GSD and Intraday VaR Charge as well as Intraday Mark-to-Market Charge at MBSD, including circumstances in which FICC may determine not to collect such a charge, to facilitate compliance with the newly adopted CCAS Margin Rules.[20] The proposed changes are described in detail below.

Proposed Changes to the Rules

GSD Intraday Supplemental Fund Deposit and MBSD Intraday VaR Charge

Currently, FICC requires additional deposit to the Clearing Fund from a member intraday pursuant to the provisions of the GSD Margin Component Schedule[21] as well as MBSD Rules 1 and 4.[22] As provided in Section 2a of GSD Rule 4 and Section 3a of MBSD Rule 4, pursuant to procedures established by FICC, FICC recalculates intraday, each Business Day, at the times established by FICC for this purpose, the amount of the intraday VaR Charge applicable to each portfolio of a member, based upon the open positions in such portfolio at a designated time intraday, for purposes of establishing whether a member shall be required to make payment of an Intraday Supplemental Fund Deposit or an Intraday VaR Charge, as applicable. FICC has established procedures for collection of an amount calculated in respect of a member's Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, including parameters regarding threshold amounts that require payment, and the form and time by which payment is required to be made to FICC. In addition, FICC reserves the right to require a member or members generally to make additional Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, if FICC determines it to be necessary to protect itself and its members in response to factors such as market conditions or financial or operational capabilities affecting a member or members generally.

In order to comply with the CCAS Margin Rules and provide additional transparency in the Rules regarding the collection of Intraday Supplemental Fund Deposit at GSD and Intraday VaR Charge at MBSD, FICC is proposing the following clarification in the Rules.

Specifically for GSD, in Section 1 of the Margin Component Schedule,[23] FICC is proposing language that would make it clearer that the calculation of margin, *i.e.,* Required Fund Deposit Portion and Segregated Customer Margin Requirements,[24] would be performed more frequently than twice daily if FICC deems it appropriate pursuant to the Margin Component Schedule and subject to the provisions of GSD Rule 4.

For the ''Intraday Supplemental Fund Deposit'' definition in Section 5 of the GSD Margin Component Schedule as well as Section 3a of MBSD Rule 4, FICC is proposing to add language that makes it clearer that the Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, would be re-calculated intraday, each Business Day, at the times and frequencies established by FICC for this purpose, which times and frequencies shall be communicated to members on FICC's public website. In addition, FICC is proposing to make it clearer that, for purposes of establishing whether a member shall be required to make an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, FICC would consider when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility. FICC would also provide examples of elevated volatility market conditions to include, but not be limited to, the occurrence of sudden swings in U.S. Treasury yields or mortgage-backed security spreads outside of historically observed market moves and/or conditions contributing to intraday risk exposures to FICC that, in aggregate, materially exceed intraday risk exposures observed under normal market conditions. Furthermore, FICC is proposing to add language that makes it clearer that FICC has procedures for ongoing monitoring and collection of a member's Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable. The additional language would provide that FICC shall communicate to members via its public website parameters regarding threshold amounts that would require payment of Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, and

[17] FICC recently proposed changes to the GSD Rules to adopt an Intraday Mark-to-Market Charge. *See* Securities Exchange Release No. 102705 (Mar. 21, 2025) 90 FR 13965 (Mar. 27, 2025) (SR–FICC–2025–005).

[18] FICC currently expects to increase the frequency of its intraday monitoring at MBSD from hourly to a 15-minute increment during fourth quarter of 2025.

[19] On the last Business Day of each calendar month, the intraday monitoring at GSD is extended from 4:30 p.m. (New York time) to 5:00 p.m. (New York time).

[20] *See supra* notes 4 and 6.

[21] The definition of Intraday Supplemental Fund Deposit and related provisions are currently located in GSD Rule 1 and the GSD Margin Component Schedule, *supra* note 3.

[22] *See* the definition of Intraday VaR Charge in MBSD Rule 1 (Definitions) and related provision in MBSD Rule 4 (Clearing Fund and Loss Allocation), *supra* note 3.

[23] *Supra* note 3.

[24] The term ''Required Fund Deposit Portion'' refers to the amounts of Required Fund Deposit requirement calculated for each Type of Account, other than Segregated Indirect Participants Accounts, of a GSD member, and is defined in GSD Rule 1 to mean each of the items listed in Section 2(a)(i)–(iv) of GSD Rule 4.

The term ''Segregated Customer Margin Requirement'' is defined in GSD Rule 1 to mean the amount of cash or Eligible Clearing Fund Securities that an Agent Clearing Member or Sponsoring Member is required to deposit with FICC to support the obligations arising from Transactions recorded in its Segregated Indirect Participants Accounts. A Netting Member's Segregated Customer Margin Requirement shall be the sum of the items listed in Section 2(a)(v) and (vi) of GSD Rule 4. References to Segregated Customer Margin Requirement ''for'' or ''with respect to'' a particular Segregated Indirect Participants Account or Segregated Indirect Participant (or similar language) mean the portion of a Netting Member's Segregated Customer Margin Requirement arising from such Account or Segregated Indirect Participant. *Supra* note 3.

the form and time by which payment is required to be made to FICC. Lastly, with respect to GSD only, FICC is proposing to add references to Segregated Indirect Participant(s) in the third paragraph of the ''Intraday Supplemental Fund Deposit'' definition in Section 5 of the GSD Margin Component Schedule to provide additional clarity and consistency. To the extent applicable, the proposed changes in this paragraph would also apply to MBSD's Intraday Mark-to-Market Charge, as further described below.

To make it clear in the Rules that FICC has the discretion to waive or reduce the amount of Intraday Supplemental Fund Deposit or Intraday VaR Charge, FICC is proposing to add language in the ''Intraday Supplemental Fund Deposit'' definition in Section 5 of the GSD Margin Component Schedule and the ''Intraday VaR Charge'' definition in MBSD Rule 1. Specifically, the additional language would provide that FICC may determine not to collect an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, or may decrease the amount of the Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, in circumstances where FICC determines that the volatility-based intraday exposure of the member and/or the breaches of the threshold amount do not accurately reflect FICC's risk exposure to the member. The additional language would provide that examples of circumstances that FICC may consider with respect to the determination in the previous sentence may include, but shall not be limited to, (i) changes in portfolio composition result in the threshold amount not being breached on a consistent or persistent basis, (ii) trades that will be offset by trades submitted later in the day, (iii) the threshold amount was breached due to the submission of erroneous trades that are being corrected, or (iv) the threshold amount was breached due to erroneous data inputs.

In addition, FICC would adopt new rules concerning FICC's authority to waive the collection of an Intraday Supplemental Fund Deposit at GSD or Intraday VaR Charge at MBSD, as applicable, in exigent circumstances. Specifically, the proposed rule change would provide that FICC may waive the collection of an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, in exigent circumstances if FICC determines (i) that such a waiver is necessary to protect FICC, its participants, investors and the public interest or (ii) it can effectively address the risk exposure presented by the member without the collection of the Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable.

Lastly, the additional language would provide that any waiver, reduction, or determination not to collect an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, shall be approved, documented and reviewed on a regular basis pursuant to FICC's procedures. Pursuant to FICC's market risk management procedures, FICC's Market Risk Management team monitors members' trading activity and exposures on a 15-minute/hourly basis and identifies accounts that exceed certain preestablished thresholds. These threshold breaches trigger research, review and escalation actions for recommendations for waiving, reducing, and/or determining not to collect an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable. If a waiver, reduction, and/or determination not to collect an Intraday Supplemental Fund Deposit or Intraday VaR Charge, as applicable, is recommended, this is escalated to designated members of FICC Market Risk Management for approval and documentation in accordance with specified escalation procedures.

The proposed change is intended to facilitate compliance with new requirements in the CCAS Margin Rules that each CCA have policies and procedures to document when the CCA determines not to make an intraday call pursuant to its written policies and procedures.[25]

MBSD Intraday Mark-to-Market Charge

Currently, FICC requires additional deposit to the Clearing Fund from an MBSD member intraday pursuant to the provisions of MBSD Rules 1 and 4.[26] As provided in Section 3a of MBSD Rule 4, pursuant to procedures established by FICC, FICC recalculates intraday, each Business Day, at the times established by FICC for this purpose, the amount of the Intraday Mark-to-Market Charge applicable to each portfolio of an MBSD member based upon the open positions in such portfolio at a designated time intraday, for purposes of establishing whether an MBSD member shall be required to make an additional payment to its Required Fund Deposit, *i.e.,* Intraday Mark-to-Market Charge. FICC has established procedures for collection of an amount calculated in respect of an MBSD member's Intraday Mark-to-Market Charge, including parameters regarding threshold amounts that require payment, and the form and time by which payment is required to be made to FICC. In addition, FICC reserves the right to require an MBSD member or members generally to make additional Intraday Mark-to-Market Charge if FICC determines it to be necessary to protect itself and its members in response to factors such as market conditions or financial or operational capabilities affecting an MBSD member or members generally.

In order to comply with the CCAS Margin Rules and provide additional transparency in the MBSD Rules regarding the collection of Intraday Mark-to-Market Charge, FICC is proposing the following clarification in the MBSD Rules.

In Section 3a of MBSD Rule 4, FICC is proposing to add language that makes it clearer that the Intraday Mark-to-Market Charge would be re-calculated intraday, each Business Day, at the times and frequencies established by FICC for this purpose, which times and frequencies shall be communicated to MBSD members on FICC's public website. In addition, FICC is proposing to make it clearer that, for purposes of establishing whether an MBSD member shall be required to make an Intraday Mark-to-Market Charge, FICC would consider when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility. Furthermore, FICC is proposing to add language that makes it clearer that FICC has procedures for ongoing monitoring and collection of an MBSD member's Intraday Mark-to-Market Charge.

In addition, in order to enhance the transparency in the MBSD Rules regarding FICC's existing discretion to waive or change the Intraday Mark-to-Market Charge at MBSD, FICC is proposing to add language in the Intraday Mark-to-Market Charge definition in MBSD Rule 1 to provide that all waivers and/or changes of the Intraday Mark-to-Market Charge shall be approved, documented and reviewed on a regular basis pursuant to FICC's procedures. The proposed change is intended to facilitate compliance with new requirements in the CCAS Margin Rules that each CCA have policies and procedures to document when the CCA determines not to make an intraday call pursuant to its written policies and procedures.[27]

Lastly, FICC is proposing a technical correction in the first sentence of the

[25] *See* 17 CFR 240.17ad–22(e)(6)(ii)(D) and CCAS Margin Rules, *supra* note 4.

[26] *See* the definition of Intraday Mark-to-Market Charge in MBSD Rule 1 (Definitions) and related provision in MBSD Rule 4 (Clearing Fund and Loss Allocation), *supra* note 3.

[27] *See* 17 CFR 240.17ad–22(e)(6)(ii)(D) and CCAS Margin Rules, *supra* note 4.

Intraday Mark-to-Market Charge definition in MBSD Rule 1. Specifically, FICC is proposing to delete the reference to ''subsection (d)'' therein and replace it with ''subsection (c).''

Implementation Timeframe

FICC expects to implement the proposed rule change by no later than December 15, 2025, and would announce the effective date of the proposed changes by an Important Notice posted to FICC's website.

2. Statutory Basis

FICC believes the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. Specifically, FICC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act [28] and Rule 17ad–22(e)(6)(ii) promulgated thereunder [29] for the reasons described below.

Section 17A(b)(3)(F) of Act requires, in part, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible and, in general, to protect investors and the public interest.[30] FICC believes the proposed change to provide additional transparency in the Rules regarding the collection of intraday margin would provide clarity in the Rules regarding the ongoing monitoring, calculation and collection of the existing Intraday Supplemental Fund Deposit at GSD as well as the Intraday VaR Charge and Intraday Mark-to-Market Charge at MBSD. Specifically, the proposed change would enhance the Rules to more clearly describe how FICC: (i) monitors its intraday exposures on an ongoing basis; (ii) makes calls for intraday margin to include when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility; and (iii) documents when it determines to waive, reduce or not make an intraday margin call pursuant to its written policies and procedures. FICC believes that providing this additional transparency and clarity in the Rules would promote the understanding of FICC's intraday margin processes by FICC's members, market participants and the public. This, in turn, would help members understand their potential obligations to FICC, particularly with respect to intraday margin, so that they are better equipped and able to satisfy such requirements when due. FICC uses the margin it collects to mitigate potential losses to FICC (and through loss allocation, to its members) associated with liquidating a defaulting member's portfolio and to continue to effect the prompt and accurate clearance and settlement of securities transactions in the event FICC ceases to act for a member. As a result, FICC believes the proposed rule change is designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in the custody or control of FICC or for which it is responsible and, in general, to protect investors and the public interest in accordance with the requirements of Section 17A(b)(3)(F) of Act.

The proposed change to make a technical correction to the MBSD Rules would ensure that the Rules remain accurate and clear, which in turn would enable all stakeholders to readily understand their rights and obligations in connection with FICC's clearance and settlement of securities transactions. Therefore, FICC believes that this proposed change would also promote the prompt and accurate clearance and settlement of securities transactions, consistent with Section 17A(b)(3)(F) of the Act.[31]

Rule 17ad–22(e)(6)(ii) under the Act requires FICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, among other things, (i) monitors intraday exposures on an ongoing basis; (ii) includes the authority and operational capacity to make intraday margin calls, as frequently as circumstances warrant, including the following circumstances: (1) when risk thresholds specified by the covered clearing agency are breached; or (2) when the products cleared or markets served display elevated volatility; and (iii) documents when the covered clearing agency determines not to make an intraday call pursuant to its written policies and procedures.[32] FICC believes the proposed change to provide additional transparency in the Rules regarding the collection of intraday margin would provide clarity in the Rules regarding the ongoing monitoring, calculation and collection of the existing Intraday Supplemental Fund Deposit at GSD as well as the Intraday VaR Charge and Intraday Mark-to-Market Charge at MBSD. Specifically, the proposed change would enhance the Rules to more clearly describe how FICC: (i) monitors its intraday exposures on an ongoing basis; (ii) makes calls for intraday margin to include when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility; and (iii) documents when it determines to waive, reduce or not make an intraday margin call pursuant to its written policies and procedures. Collectively, the proposed change is designed to facilitate FICC's compliance with Rule 17ad–22(e)(6)(ii), and, accordingly, FICC believes that the proposed change is consistent with the requirements of Rule 17ad–22(e)(6)(ii) under the Act.[33]

For the reasons set forth above, FICC believes the proposed change is consistent with Section 17A(b)(3)(F) of the Act [34] and Rule 17ad–22(e)(6)(ii) thereunder.[35]

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of Act requires that the rules of a clearing agency do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[36] FICC does not believe the proposed rule change would present any burden or have a material impact on competition. The proposed changes are designed to ensure that the Rules remain transparent, accurate and clear. In addition, the proposed rule change is intended to facilitate FICC's compliance with requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. Therefore, FICC does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

FICC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

[28] 15 U.S.C. 78q–1(b)(3)(F).

[29] 17 CFR 240.17ad–22(e)(6)(ii).

[30] 15 U.S.C. 78q–1(b)(3)(F).

[31] *Id.*

[32] 17 CFR 240.17ad–22(e)(6)(ii).

[33] *Id.*

[34] 15 U.S.C. 78q–1(b)(3)(F).

[35] 17 CFR 240.17ad–22(e)(6)(ii).

[36] 15 U.S.C. 78q–1(b)(3)(I).

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/regulatory-actions/how-to-submit-comments.* General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at *tradingandmarkets@sec.gov* or 202–551–5777.

FICC reserves the right not to respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–FICC–2025–008 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–FICC–2025–008. 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 FICC and on DTCC's website (*https://dtcc.com/legal/sec-rule-filings.aspx*). 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–FICC–2025–008 and should be submitted on or before May 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[37]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–07104 Filed 4–24–25; 8:45 am]

BILLING CODE 8011–01–P

[37] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102893; File No. SR–NSCC–2025–005]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing of Proposed Rule Change Concerning the Collection of Intraday Margin

April 21, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on April 15, 2025, National Securities Clearing Corporation (''NSCC'') 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 clearing agency. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to the NSCC Rules & Procedures (''NSCC Rules'') to address recently adopted amendments to the Commission's Standards for Covered Clearing Agencies (''CCAS Rules'') concerning the collection of intraday margin.[3]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Executive Summary of Proposed Changes

On October 25, 2024, the Commission adopted amendments to the CCAS Rules to add new requirements related to the collection of intraday margin by a covered clearing agency (''CCA'').[4] Specifically, the Commission amended Rule 17ad–22(e)(6)(ii) [5] to establish new requirements with respect to a CCA's policies and procedures regarding the collection of intraday margin to: (i) include a new requirement to monitor intraday exposures on an ongoing basis; (ii) modify the preexisting reference to making intraday calls ''in defined

[3] Capitalized terms not defined herein shall have the meaning assigned to such terms in the NSCC Rules, *available at www.dtcc.com/legal/rules-and-procedures.*

[4] Securities Exchange Act Release No. 101446 (Oct. 25, 2024), 89 FR 91000 (Nov. 18, 2024) (File No. S7–10–23) (''Adopting Release,'' and the intraday margin rules adopted therein referred to herein as ''CCAS Margin Rules'').

[5] 17 CFR 240.17ad–22(e)(6)(ii).

circumstances'' to making intraday calls ''as frequently as circumstances warrant'' and identifying examples of such circumstances; and (iii) require that a CCA document when it determines not to make an intraday margin call pursuant to its written policies and procedures.[6] As described below, the proposed changes to the NSCC Rules are primarily designed to facilitate compliance with these requirements.

Background

NSCC is a clearing agency that provides clearing, settlement, risk management, and central counterparty services for trades involving equity securities, corporate and municipal debt, exchange traded funds and unit investment trusts. NSCC manages its credit exposure to its Members by determining the appropriate Required Fund Deposit to the Clearing Fund for each Member and by monitoring the sufficiency of such deposits, as provided for in the NSCC Rules.[7]

The objective of a Member's Required Fund Deposit is to mitigate potential losses to NSCC associated with liquidating a Member's portfolio in the event NSCC ceases to act for that Member (hereinafter referred to as a ''default'').[8] Required Fund Deposits operate, individually, as the Member's margin, and the aggregate of all such Members' deposits is referred to, collectively, as the Clearing Fund, which operates as NSCC's default fund. NSCC would access the Clearing Fund should a defaulting Member's own Required Fund Deposit be insufficient to satisfy losses to NSCC caused by the liquidation of that Member's portfolio.

Each Member's Required Fund Deposit amount consists of a number of applicable components, each of which is calculated to address specific risks faced by NSCC, as identified within the Rules. The major components of NSCC's Clearing Fund charges include, but are not limited to: (i) volatility charges for securities based on asset type and liquidity profile; (ii) mark-to-market charges; (iii) fail charges; (iv) a charge for Family-Issued Securities to mitigate wrong way risk; (v) a charge to mitigate day over day margin differentials; (vi) a coverage component; (vii) a margin liquidity adjustment component; (viii) a backtesting charge; and (iv) an excess capital premium charge.[9]

Overview of Intraday Monitoring and Margin Collection

NSCC Procedure XV describes NSCC's Clearing Fund formula and methodology. NSCC calculates and collects Clearing Fund from its Members (*i.e.,* a Required Fund Deposit) on a daily basis using a risk-based margin methodology.[10] A Member's Required Fund Deposit may vary daily and is generally based upon the Member's trading activity and current unsettled positions. Required Fund Deposit deficits are due to NSCC each business day, typically by 10:00 a.m. Eastern Time. In addition, NSCC may call for additional margin on an intraday basis, as needed.

Pursuant to Sections I.(B)(5) and (6) of NSCC Procedure XV,[11] NSCC has discretionary authority to collect margin on an intraday basis based on changes to a Member's intraday mark-to-market exposure (''Intraday Mark-to-Market Charge'' or ''Intraday MTM Charge'') and intraday volatility exposure (''Intraday Volatility Charge'') (collectively, ''Intraday Margin Charges''). These procedures describe the calculations for the Intraday MTM Charge and Intraday Volatility Charge and the thresholds used to trigger the potential collection of such charges.

The Intraday MTM Charge is based on the difference between the last marked-to-market price of a Member's net CNS and Balance Order positions (including CNS fails) and the most recently observed market price for such positions.[12] An Intraday MTM Charge may generally be imposed if the difference of this calculation meets or exceeds 80 percent of the ''volatility charge'' component of the Member's start of day Clearing Fund requirement.[13] NSCC may reduce this threshold during volatile market conditions if it determines that a reduction of the threshold is appropriate to mitigate risks to NSCC.

The Intraday Volatility Charge is based on the difference between a Member's start of day volatility charge and intraday volatility charges calculated with respect to its net unsettled CNS and Balance Order positions.[14] An Intraday Volatility Charge may generally be imposed if the difference of this calculation meets or exceeds 100 percent and the amount that would be collected is greater than $250,000. NSCC may reduce the 100 percent threshold, for example during volatile market conditions or market events that cause increases in trading volumes, if NSCC determines that a reduction of the threshold is appropriate to mitigate risks to NSCC.

Intraday market moves and positions are monitored by NSCC on an ongoing basis. NSCC conducts intraday monitoring of its exposures for purposes of Intraday Margin Charges at 15-minute intervals generally between the hours of 10:00 a.m. to 4:30 p.m. Eastern Time, unless such intervals are extended by NSCC to address operational or other delays. NSCC reviews these intraday snapshots of each Member's portfolio to determine whether the Member has experienced an adverse risk exposure that warrants NSCC assessing Intraday MTM Charge and/or Intraday Volatility Charge.

Through this filing, NSCC is providing additional clarity and transparency in the Rules concerning NSCC's processes for the ongoing monitoring, recalculation and collection of Intraday Margin Charges, including circumstances in which NSCC may determine not to collect such a charge, to facilitate compliance with the newly adopted CCAS Margin Rules.[15] The proposed changes are described in detail below.

Proposed Changes to the NSCC Rules

NSCC proposes to amend Sections I.(B)(5) and I.(B)(6) of NSCC Procedure XV to provide additional clarity and transparency in the NSCC Rules concerning NSCC's processes for the

[6] *See* Adopting Release, *supra* note 4 at 91000.

[7] *See* NSCC Rule 4, *supra* note 3.

[8] The NSCC Rules identify when NSCC may cease to act for a Member and the types of actions NSCC may take. *See* NSCC Rule 46 (Restrictions on Access to Services), *supra* note 3.

[9] *See* NSCC Procedure XV, *supra* note 3.

[10] Section 12 of NSCC Rule 56 describes the Clearing Fund obligations associated with NSCC's Securities Financing Transaction Clearing service. Section 12(c) of NSCC Rule 56 specifically provides that NSCC calculates the amount of each SFT Member's required deposit for its SFT Positions by applying the Clearing Fund formula for CNS Transactions in Sections I.(A)(1) (a), (b), (c), (e), (f), (g) of NSCC Procedure XV, as well as the additional Clearing Fund formula in Section I.(B)(5) (Intraday Mark-to-Market Charge) and (6) (Intraday Volatility Charge) of NSCC Procedure XV, except as noted otherwise, in the same manner as such sections apply to CNS Transactions submitted for regular way settlement. *See* Section 12 of NSCC Rule 56, *supra* note 3.

[11] *See* Sections I.(B)(5) and (6) of NSCC Procedure XV, *supra* note 3.

[12] *See* Section I.(B)(5) of NSCC Procedure XV, *supra* note 3.

[13] The ''volatility charge'' component of each Member's Required Fund Deposit is designed to measure market price volatility of the start-of-day portfolio and is calculated for Members' net unsettled positions. *See* NSCC Procedure XV, Section I.(A)(1)(a) for CNS Transactions and Section I.(A)(2)(a) for Balance Order Transactions, *supra* note 3.

[14] *See* Section I.(B)(6) of NSCC Procedure XV, *supra* note 3. The amount of the charge is reduced by the portion of the margin requirement differential charge that represents the volatility component collected at the start of the day and excludes the amount calculated for long positions in Family Issued Securities and shares delivered to or received by the Member to satisfy all or any portion of a short or long position.

[15] *See* 17 CFR 240.17ad–22(e)(6)(ii) and *supra* note 4.

ongoing monitoring, recalculation and collection of Intraday MTM Charges and Intraday Volatility Charges, including circumstances in which NSCC may determine not collect such a charge, to facilitate compliance with the newly adopted CCAS Margin Rules.[16] In addition, NSCC proposes to adopt new authority to reduce its intraday margin thresholds for a given Member to require a Member to make additional Intraday MTM or Intraday Volatility Charge payments if NSCC determines it to be necessary to protect itself and its Members in response to factors such as market conditions or financial or operational capabilities affecting such Member. NSCC also proposes clarifying changes in Section I.(A) of Procedure XV to note that it may use the baseline calculation for the Margin Liquidity Adjustment (''MLA'') charge for certain equity exchange-traded fund (''ETF'') positions to address circumstances where certain data inputs needed for the creation/redemption calculation for MLA are not available. Finally, NSCC would make additional clarifying changes to add an introductory paragraph in Procedure XV concerning the frequency of its Clearing Fund calculations and the potential for extension of such actions. The proposed changes are described in detail below.

Intraday Margin Charges Generally

Proposed Changes Concerning Ongoing Monitoring, Calculation and Collection of Intraday Margin Charges

NSCC proposes to modify Section I.(B)(5) of NSCC Procedure XV to provide additional clarity and transparency regarding NSCC's process for the ongoing monitoring and recalculation of its intraday mark-to-market and volatility exposures and the collection of Intraday Margin Charges. First, NSCC proposes to consolidate its procedures for Intraday Mark-to-Market Charges and Intraday Volatility Charges into Section I.(B)(5) of Procedure XV and rename Section I.(B)(5) of Procedure XV to reference Intraday Margin Charges generally, rather than Intraday Mark-to-Market Charges specifically. NSCC would also add a new introductory paragraph to the procedure to describe NSCC's intraday monitoring process and general authority to make intraday margin calls. The proposed rule would provide that NSCC shall establish procedures for the ongoing monitoring and recalculation of its intraday mark-to-market and volatility exposures, during such times and at such frequency as set forth by NSCC, and that NSCC will communicate to Members the timing and frequency with which NSCC monitors and re-calculates its intraday mark-to-market and volatility exposures by posting such information on NSCC's public website.[17] The proposed rule change would also state that NSCC may collect payments from Members on an intraday basis based on intraday changes in its risk exposures, defined generally as an ''Intraday Margin Charge,'' including when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility. The proposed rule would further clarify that Intraday Margin Charges include charges based on re-calculated mark-to-market exposures (''Intraday Mark-to-Market Charge'') and volatility exposures (''Intraday Volatility Charge'') for each Member, as further defined in the Procedure. NSCC would also make a conforming change to Section 12(c) of NSCC Rule 56 regarding Clearing Fund obligations for SFT Positions to reflect the consolidation of its procedures for Intraday Mark-to-Market Charges and Intraday Volatility Charges into Section I.(B)(5) of Procedure XV.[18]

The proposed change is intended to provide additional clarity and transparency in the NSCC Rules concerning how NSCC facilities compliance with requirements in the CCAS Margin Rules that each CCA have policies and procedures reasonably designed to (i) monitor intraday exposures on an ongoing basis and (ii) make intraday margin calls, as frequently as circumstances warrant, including when risk thresholds specified by NSCC are breached or when products cleared or markets served display elevated volatility.[19]

Proposed Changes Concerning Determinations Not To Collect Intraday Margin Charges

NSCC also proposes to amend Section I.(B)(5) of Procedure XV to provide additional clarity and transparency around NSCC's process for determining whether to collect Intraday Magin Charges. As described above, NSCC monitors its intraday mark-to-market and volatility exposures in 15-minute intervals throughout the day and has discretionary authority to collect Intraday MTM Charges and/or Intraday Volatility Charges based on changes to a Member's intraday mark-to-market and volatility exposures. NSCC considers a number of factors when determining whether to collect an Intraday Margin Charge based on exposures that breach certain defined thresholds (discussed below) at any given 15-minute interval. Accordingly, NSCC proposes to amend Section I.(B)(5) of Procedure XV to describe this intraday margin assessment process in the NSCC Rules.

NSCC proposes to add new rule text to the procedure to provide that NSCC may determine not to collect an Intraday Margin Charge in circumstances where NSCC determines that the intraday exposure of the Member and/or breaches of certain thresholds do not accurately reflect NSCC's risk exposure to the Member. The proposed rules would also provide examples of circumstances that NSCC may consider with respect to such a determination, which may include, but are not limited to: (i) market conditions and/or portfolio composition result in the defined thresholds not being breached on a consistent or persistent basis; (ii) trades will be offset by trades submitted later in the day; (iii) the defined threshold was met due to the submission of erroneous trades that are being corrected; or (iv) the defined threshold was met due to erroneous data inputs.

Additionally, NSCC would adopt new rules stating that any reduction or determination not to collect an Intraday Margin Charge, or any waiver of an Intraday Volatility Charge (as discussed below), shall be approved, documented and reviewed on a regular basis pursuant to NSCC's procedures. Pursuant to NSCC's market risk management procedures, NSCC's Market Risk Management team monitors Members' open positions and exposures on a 15-minute basis throughout the day and identifies accounts that exceed certain pre-established thresholds. These thresholds trigger research, review and escalation actions, including recommendations for making an Intraday Marign Call. If a recommendation to collect an Intraday Margin Call is made, this is escalated to more senior members of Market Risk Management in accordance with specified escalation procedures. If an Intraday Margin Call is not recommended or reduced (or with respect to an Intraday Volatility Charge, waived), a member of the Market Risk Management team documents this determination in accordance with NSCC's market risk management procedures.

The proposed change is intended to provide additional clarity and transparency in the NSCC Rules

[16] *See id.*

[17] As noted above, NSCC currently monitors and recalculates its intraday mark-to-market and volatility exposures in 15-minute intervals throughout the day.

[18] *See supra* note 10.

[19] *See* 17 CFR 240.17ad–22(e)(6)(ii)(B) and (C) and *supra* note 4.

concerning NSCC's Intraday Margin Call determination process and how NSCC facilitates compliance with requirements in the CCAS Margin Rules that each CCA have policies and procedures reasonably designed to document when NSCC determines not to make an intraday call pursuant to its written policies and procedures.[20]

Intraday Mark-to-Market Charges

NSCC proposes clarifying changes to existing procedures in Section I.(B)(5) of NSCC Procedure XV concerning the calculation of Intraday MTM Charges. First, NSCC would create new sub-paragraph (a) of Section I.(B)(5) of Procedure XV to specifically address Intraday MTM Charges. NSCC would make non-substantive cleanup changes to the procedure to describe the existing charge and clarify that the charge reflects the difference between the most recent NSCC ''marked''-to-market price and most recently observed market price of a Member's positions. NSCC would also add a new defined term, ''Intraday Mark-to-Market Threshold,'' to represent the existing 80 percent threshold for Intraday Mark-to-Market Charges.

In addition, NSCC would remove a clause stating that NSCC may reduce the Intraday Mark-to-Market Threshold during volatile market conditions ''by accelerating the collection of anticipated additional margin from Members whose portfolios may present relatively greater risks to [NSCC] on an overnight basis.'' NSCC believes that the revised rule text would more accurately reflect the circumstances in which NSCC may reduce the threshold because the collection of an Intraday MTM Charge would not be limited to addressing risk that may arise on an overnight basis but may also be needed to address mark-to-market risk exposures on an intraday basis. NSCC would also amend the rules to provide examples of market conditions that NSCC may consider with respect to reducing the Intraday Mark-to-Market Threshold, which include, but are not limited to, the occurrence of large price changes in a major benchmark equity index.

NSCC also proposes to add new rule authority to permit NSCC to reduce the Intraday Mark-to-Market Threshold for a given Member if NSCC determines it to be necessary to protect itself and its Members in response to factors such as market conditions or financial or operational capabilities affecting such Member. The proposed rule change would effectively allow NSCC to lower the Intraday MTM Threshold for individual Members or certain groups of Members to address market conditions or financial or operational capabilities specifically impacting those Members without requiring NSCC to lower the threshold across all Members.

The proposed change is intended to provide additional clarity and transparency in the NSCC Rules concerning how NSCC facilities compliance with requirements in the CCAS Margin Rules that each CCA have policies and procedures reasonably designed to make intraday margin calls, as frequently as circumstances warrant, including when risk thresholds specified by NSCC are breached or when products cleared or markets served display elevated volatility.[21]

Intraday Volatility Charges

NSCC proposes clarifying and cleanup changes to the existing procedure language concerning the calculation of the Intraday Volatility Charge. First, NSCC would create new sub-paragraph (b) of Section I.(B)(5) of NSCC Procedure XV to specifically address Intraday Volatility Charges. NSCC would make non-substantive cleanup changes to the procedure to describe the existing charge. NSCC would also add a new defined term, ''Intraday Volatility Threshold,'' to represent the 100 percent threshold for Intraday Volatility Charges.

Additionally, NSCC proposes to remove existing rule text stating that NSCC would not collect an Intraday Volatility Charge if (a) trades submitted later in the day would offset trades submitted earlier in the day, such that the thresholds would not have been met if such activity had been submitted earlier in the day, or (b) the threshold was met due to the submission of an erroneous trade that can be corrected. This procedure language would be replaced by the proposed rules discussed above, which would provide an enhanced explanation of NSCC's process for determining whether to collect an Intraday Margin Charge, which includes the aforementioned scenarios for determining whether to collect an Intraday Volatility Charge.

In addition, NSCC would remove a clause stating that NSCC may reduce the Intraday Volatility Threshold during volatile market conditions or market events that cause increases in trading volumes ''by accelerating the collection of anticipated additional margin from those Members whose portfolios may present relatively larger risks to [NSCC] on an overnight basis.'' NSCC believes that the revised rule text would more accurately reflect circumstances in which NSCC may reduce the threshold because the collection of an Intraday Volatility Charge would not be limited to addressing risk that may arise on an overnight basis but may also be needed to address volatility risk exposures on an intraday basis. NSCC would also amend the rules to provide examples of market conditions that NSCC may consider with respect reducing the Intraday Volatility Threshold, which include, but are not limited to, ETF index rebalancing periods or the occurrence of large price changes in a major benchmark equity index.

NSCC also proposes to add new rule authority to permit NSCC to reduce the Intraday Volatility Threshold for a given Member if NSCC determines it to be necessary to protect itself and its Members in response to factors such as market conditions or financial or operational capabilities affecting such Member. The proposed rule change would effectively allow NSCC to lower the Intraday Volatility Threshold for individual Members or certain groups of Members to address market conditions or financial or operational capabilities specifically impacting those Members without requiring NSCC to lower the threshold across all Members.

NSCC would also adopt new rules concerning NSCC's authority to waive, in exigent circumstances, an Intraday Volatility Charge that it may otherwise ordinarily collect. Specifically, the proposed rule change would provide that NSCC may waive the collection of an Intraday Volatility Charge in exigent circumstances if NSCC determines (i) that such a waiver is necessary to protect NSCC, its participants, investors and the public interest or (ii) that NSCC can effectively address the risk exposure presented by the Member without the collection of such charge.

The proposed change is intended to provide additional clarity and transparency in the NSCC Rules concerning how NSCC facilities compliance with requirements in the CCAS Margin Rules that each CCA have policies and procedures reasonably designed to make intraday margin calls, as frequently as circumstances warrant, including when risk thresholds specified by NSCC are breached or when products cleared or markets served display elevated volatility.[22]

[20] *See* 17 CFR 240.17ad–22(e)(6)(ii)(D) and *supra* note 4.

[21] *See* 17 CFR 240.17ad–22(e)(6)(ii)(C) and *supra* note 4.

[22] *Id.*

Other Proposed Changes to NSCC Rules

Proposed Clarifications Concerning the Frequency of Clearing Fund Calculations

NSCC proposes to amend the introductory section of NSCC Procedure XV to rename the Procedure and provide additional context regarding the frequency of NSCC's Clearing Fund calculations. Specifically, the proposed rule change would relocate a footnote to the introductory section of Procedure XV stating that NSCC performs all Clearing Fund calculations daily or on a more frequent basis if NSCC deems it appropriate. NSCC also proposes to add additional clarifying language to this section noting that times all may be extended as needed by NSCC to (i) address operational or other delays that would reasonably prevent members or NSCC from meeting the deadline or timeframe, as applicable, or (ii) allow NSCC time to operationally exercise its existing rights under the NSCC Rules and Procedures. In addition, the proposed rules would clarify that all times applicable to NSCC are standards and not deadlines; actual processing times may vary slightly, as necessary.

Proposed Clarifications Concerning MLA Charge Calculation for Certain Equity ETFs

NSCC also proposes to amend Sections I.(A)(1)(g) and I.(A)(2)(f) of NSCC Procedure XV to make certain clarifications regarding the calculation of the MLA charge for CNS and Balance Order transactions, respectively.[23] As noted above, one of the primary components of NSCC's Clearing Fund calculation is the MLA charge, which applies to a Member's Net Unsettled Positions, other than long Net Unsettled Positions in Family-Issued Securities. For ETFs with in-kind baskets, NSCC runs two separate calculations to compare and determine the ''impact cost'' of liquidating the ETF. NSCC runs (i) a baseline calculation to simulate all the ETF positions being liquidated in the secondary market (the ''Baseline Calculation'') with the impact cost calculation being at the security level (*i.e.,* the ETF shares) and (ii) an alternative calculation (''Create/Redeem Calculation'') to simulate the ETF positions being liquidated in the primary market using the creation/redemption process.[24] NSCC then uses the smaller calculated impact costs of either the Baseline Calculation or the Create/Redeem Calculation for purposes of calculating the MLA charge.

NSCC proposes to modify Sections I.(A)(1)(g) and I.(A)(2)(f) of Procedure XV to clarify that, if certain data inputs needed to determine ETF decomposition for the Create/Redeem Calculation are unavailable or unreliable, NSCC may use the Baseline Calculation for purposes of calculating the MLA charge for ETFs. The proposed rule change is intended to address limited scenarios where NSCC may be unable to perform both calculations for comparison. In such a scenario, NSCC believes it may be appropriate to use the Baseline Calculation to determine the impact cost and resulting MLA charge for the ETF(s) in question. NSCC is not proposing any changes to the manner in which it would calculate the Baseline Calculation or the Create/Redeem Calculation or the manner in which NSCC would determine the impact cost when both calculations are available and reliable.

Implementation Timeframe

NSCC expects to implement the proposed rule change by no later than December 15, 2025, and would announce the effective date of the proposed changes by an Important Notice posted to NSCC's website.

2. Statutory Basis

NSCC believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. Specifically, NSCC believes that the proposed changes are consistent with Section 17A(b)(3)(F) of the Act[25] and Rule 17ad–22(e)(6) thereunder[26] for the reasons set forth below.

Section 17A(b)(3)(F) of Act[27] requires, in part, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible and, in general, to protect investors and the public interest. The proposed rule change would enhance the clarity and transparency of NSCC's Rules regarding the ongoing monitoring, calculation and collection of Intraday Margin Charges. Specifically, the proposed rule change would enhance Procedure XV of the NSCC Rules to more clearly describe how NSCC: (i) monitors its intraday mark-to-market and volatility exposures each day on an ongoing basis; (ii) makes intraday calls for Intraday Margin Charges, as frequently as circumstances warrant, including when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility; and (iii) determines whether to make an Intraday Margin Call and documents when it determines to waive, reduce or not make an Intraday Margin Call pursuant to its written policies and procedures. The proposed rule change would also introduce authority for NSCC to lower its intraday margin call thresholds for individual Members or certain groups of Members to address market conditions or financial or operational capabilities specifically impacting those Members without requiring NSCC to lower the threshold across all Members. NSCC believes that providing this additional transparency and clarity in the NSCC Rules would promote the understanding of NSCC's intraday margin processes by NSCC's Members, market participants and the public. This, in turn, would help Members understand their potential obligations to NSCC, particularly with respect to Intraday Margin Charges, so that they are better equipped and able to satisfy such obligations when due. NSCC uses the margin and Clearing Fund it collects to mitigate potential losses to NSCC (and through loss allocation, to its Members) associated with liquidating a defaulting Member's portfolio and to continue to effect the prompt and accurate clearance and settlement of securities transactions in the event NSCC ceases to act for a Member. As a result, NSCC believes the proposed rule change is designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in the custody or control of NSCC or for which it is responsible and, in general, to protect investors and the public interest in accordance with the requirements of Section 17A(b)(3)(F) of Act.

The proposed rule change would also provide clarity in the NSCC Rules to allow NSCC to use the Baseline Calculation for determining the impact costs for certain equity ETFs in the MLA charge when certain data inputs required for the Create/Redeem Calculation are not available. NSCC believes that using the existing, conservative Baseline Calculation for determining the impact costs of

[23] NSCC notes that the MLA charge is also applied to SFT Positions. *See* NSCC Rule 56, Section 12, *supra* note 3.

[24] The impact costs for the Create/Redeem Calculation are calculated by decomposing the ETFs into their underlying securities and calculating the impact costs of such underlying securities utilizing the equity asset subgroup calculations. *See* NSCC Procedure XV, Sections I.(A)(1)(g) and I.(A)(2)(f), *supra* note 3.

[25] 15 U.S.C. 78q–1(b)(3)(F).

[26] 17 CFR 240.17ad–22(e)(6).

[27] 15 U.S.C. 78q–1(b)(3)(F).

liquidating certain equity ETFs in such a scenario would appropriately address risks presented to NSCC. As noted above, NSCC uses the margin and Clearing Fund it collects to mitigate potential losses to NSCC and its Members and to continue to effect the prompt and accurate clearance and settlement of securities transactions in the event NSCC ceases to act for a Member. As a result, NSCC believes the proposed changes are designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in the custody or control of NSCC or for which it is responsible and, in general, to protect investors and the public interest in accordance with the requirements of Section 17A(b)(3)(F) of the Act.

Exchange Act Rule 17ad–22(e)(6)(ii) [28] requires that a CCA establish, implement, maintain, and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, among other things, (i) monitors intraday exposures on an ongoing basis; (ii) includes the authority and operational capacity to make intraday margin calls, as frequently as circumstances warrant, including the following circumstances: (1) when risk thresholds specified by the CCA are breached; or (2) when the products cleared or markets served display elevated volatility; and (iii) documents when the CCA determines not to make an intraday call pursuant to its written policies and procedures. The proposed rule change would enhance the clarity and transparency of NSCC's Rules regarding the ongoing monitoring, calculation and collection of Intraday Margin Charges. Specifically, the proposed rule change would enhance Procedure XV of the NSCC Rules to more clearly describe how NSCC: (i) monitors its intraday mark-to-market and volatility exposures each day on an ongoing basis; (ii) makes intraday calls for Intraday Margin Charges, as frequently as circumstances warrant, including when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility; and (iii) determines whether to make an Intraday Margin Call and documents when it determines to waive, reduce or not make an Intraday Margin Call pursuant to its written policies and procedures. Accordingly, NSCC believes the proposed changes to the NSCC Rules are reasonably designed to facilitate compliance with the requirements of Exchange Act Rule 17ad–22(e)(6)(ii).

Exchange Act Rule 17ad–22(e)(6)(i) [29] requires that a CCA establish, implement, maintain, and enforce written policies and procedures reasonably designed to establish a risk-based margin system that, among other things, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market. As discussed above, the proposed rule change would also provide clarity in the NSCC Rules to allow NSCC to use the Baseline Calculation for determining impact costs for certain equity ETFs in the MLA charge when certain data inputs required for the Create/Redeem Calculation are not available.[30] The proposed changes would enable NSCC to use its existing, conservative Baseline Calculation for determining the impact costs of liquidating certain equity ETFs to generate Clearing Fund requirements that appropriately address risks presented to NSCC. NSCC believes that these proposed changes are reasonably designed to allow NSCC to consider, and produce margin levels commensurate with, the risks and particular attributes of relevant products, portfolios, and markets in accordance with Exchange Act Rule 17ad–22(e)(6)(i).

For the reasons set forth above, NSCC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act [31] and Rule 17ad–22(e)(6) thereunder.[32]

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of Act [33] requires that the rules of a clearing agency do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. NSCC does not believe the proposed rule change would present any burden or have a material impact on competition. The proposed rule change is primarily designed to ensure that the NSCC Rules remain transparent, accurate and clear, particularly concerning NSCC's existing processes for the ongoing monitoring, recalculation and collection of Intraday Margin Charges. To the extent that NSCC is introducing new authority in its Rules, such as the potential use of the Baseline Calculation for MLA charges when the Create/Redeem Calculation is not available or adopting authority to lower Intraday Margin Call thresholds for individual Members, these Rules would apply equally to all Members and would not inhibit access to NSCC's services or favor any particular Member over another. With respect to individual Member margin call thresholds, this authority would only be utilized in the event that circumstances require NSCC to address market conditions or financial or operational capabilities specifically impacting unique Members or groups of Members and broader market conditions do not warrant lowering the threshold across all Members. NSCC believes the proposed change is necessary and appropriate to facilitate NSCC's compliance with requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency, specifically NSCC's obligations to effectively identify, measure, monitor, and manage its credit exposures to participants under Rules 17ad–22(e)(4) and (6).[34] Therefore, NSCC does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

NSCC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

[28] 17 CFR 240.17ad–22(e)(6)(ii).

[29] 17 CFR 240.17ad–22(e)(6)(i).

[30] Rule 17ad–22(e)(6)(iv) under the Act requires each CCA that is a central counterparty to establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, uses reliable sources of timely price data and other substantive inputs, and uses procedures (and, with respect to price data, sound valuation models) for addressing circumstances in which price data or other substantive inputs are not readily available or reliable, to ensure that the CCA can continue to meet its obligations under Rule 17ad–22(e)(6). Such policies and procedures must include either (i) the use of price data or substantive inputs from an alternate source; or (ii) if it does not use an alternate source, the use of a risk-based margin system that does not rely on substantive inputs that are unavailable or unreliable. *See* 17 CFR 240.17ad–22(e)(6)(iv). NSCC has not at this time determined the data inputs required for the Create/Redeem Calculation to be ''substantive inputs'' for purposes of Rule 17ad–22(e)(6)(iv); however, NSCC still believes that it is appropriate to allow NSCC to use its existing alternative Baseline Calculation for the MLA charge, which do not rely on those inputs, if the data inputs for the Create/Redeem Calculation are not available.

[31] 15 U.S.C. 78q–1(b)(3)(F).

[32] 17 CFR 240.17ad–22(e)(6).

[33] 15 U.S.C. 78q–1(b)(3)(I).

[34] 17 CFR 240.17ad–22(e)(4) and (6).

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/regulatory-actions/how-to-submit-comments.* General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at *tradingandmarkets@sec.gov* or 202–551–5777.

NSCC reserves the right not to respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NSCC–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.

All submissions should refer to File Number SR–NSCC–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 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of NSCC and on DTCC's website (*https://www.dtcc.com/legal/sec-rule-filings*). 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–NSCC–2025–005 and should be submitted on or before May 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[35]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–07103 Filed 4–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35544; File No. 812–15741]

KKR FS Income Trust, et al.

April 21, 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.

[35] 17 CFR 200.30–3(a)(12).

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end investment companies that have elected to be egulated as business development companies to issue multiple classes of shares with varying sales loads and asset-based distribution and/or service fees.

APPLICANTS: KKR FS Income Trust, KKR FS Income Trust Select, and FS/KKR Advisor, LLC.

FILING DATES: The application was filed on April 2, 2025 and amended on April 16, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below.

Hearing requests should be received by the Commission by 5:30 p.m. on May 16, 2025, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Michael C. Forman and Stephen S. Sypherd, KKR FS Income Trust, 201 Rouse Boulevard, Philadelphia, PA 19112; Eric S. Siegel, William J. Bielefeld, and Clay Douglas, Dechert LLP, Cira Centre, 2929 Arch Street, Philadelphia, PA 19104, *William.Bielefeld@dechert.com.*

FOR FURTHER INFORMATION CONTACT: Jill Ehrlich, Senior Counsel, or Thomas Ahmadifar, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' First Amended and Restated Application, dated April 16, 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. 2025–07107 Filed 4–24–25; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20981 and #20982; WEST VIRGINIA Disaster Number WV–20016]

Presidential Declaration of a Major Disaster for the State of West Virginia; Correction

AGENCY: U.S. Small Business Administration.

ACTION: Correction.

SUMMARY: This is a correction to the Presidential declaration of a major disaster for the State of West Virginia (FEMA–4861–DR), dated February 26, 2025.

Incident: Severe Storm, Straight-line Winds, Flooding, Landslides and Mudslides.

DATES: Issued on February 26, 2025.

Incident Period: February 15, 2025, and continuing.

Physical Loan Application Deadline Date: April 28, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: November 26, 2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

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: The notice of the President's major disaster declaration for the state of West Virginia dated February 26, 2025, published at 90 FR 11867 in the second column, is hereby corrected to include the Interest Rates for Physical Damage for Homeowners with Credit Available Elsewhere as 5.500 and Homeowners without Credit Available Elsewhere as 2.750. 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 (Physical Damage and Economic Injury Loans): McDowell, Mercer, Mingo, Wyoming.

Contiguous Counties (Economic Injury Loans Only):

Kentucky: Martin, Pike.

Virginia: Bland, Buchanan, Giles, Tazewell.

West Virginia: Boone, Lincoln, Logan, Monroe, Raleigh, Summers, Wayne.

The Interest Rates are:

	Percent
For Physical Damage:	
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
For Economic Injury:	
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 209816 and for economic injury is 209820.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–07145 Filed 4–24–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20977 and #20978; KENTUCKY Disaster Number KY–20013]

Presidential Declaration Amendment of a Major Disaster for the Commonwealth of Kentucky

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 5.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA–4860–DR), dated February 24, 2025.

Incident: Severe Storms, Straight-line Winds, Flooding, Landslides, and Mudslides.

DATES: Issued on April 21, 2025.

Incident Period: February 14, 2025, through March 7, 2025.

Physical Loan Application Deadline Date: May 25, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: November 24, 2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

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: The notice of the President's major disaster declaration for the Commonwealth of Kentucky, dated February 24, 2025, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to May 25, 2025.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–07144 Filed 4–24–25; 8:45 am]

BILLING CODE 8026–09–P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2025–0021]

Presidential Memorandum; Preventing Illegal Aliens From Obtaining Social Security Act Benefits

AGENCY: Social Security Administration.

ACTION: Notice.

SUMMARY: This notice publishes the Presidential Memorandum titled ''Preventing Illegal Aliens from Obtaining Social Security Act Benefits.''

DATES: The Presidential Memorandum was issued on April 15, 2025.

FOR FURTHER INFORMATION CONTACT: Mark Steffensen, Acting Deputy Commissioner and General Counsel of the Office of Law and Policy, 6401 Security Blvd., Woodlawn, MD 21235; (410) 965–6955.

SUPPLEMENTARY INFORMATION: On April 15, 2025, the President of the United States issued a Presidential Memorandum (PM) to the Commissioner of Social Security titled ''Preventing Illegal Aliens from Obtaining Social Security Act Benefits.'' The PM further authorizes and directs the Commissioner to publish the PM in the **Federal Register**.

Leland Dudek,

Acting Commissioner, Social Security Administration.

Preventing Illegal Aliens From Obtaining Social Security Act Benefits

April 15, 2025

Memorandum for the Attorney General

The Secretary of Labor

The Secretary of Health and Human Services

The Secretary of Homeland Security

The Commissioner of Social Security

The Inspector General of the Social Security Administration

Subject: Preventing Illegal Aliens From Obtaining Social Security Act Benefits

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct:

Section 1. Responsibility for Determining Eligibility for Public Benefits. (a) As set forth in Executive Order 14218 of February 19, 2025 (Ending Taxpayer Subsidization of Open Borders), both Federal law (title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104–193)) and principles of sound administration demand that taxpayer-funded benefits be provided only to eligible persons and not encourage or reward illegal immigration to the United States. This interest is especially compelling with respect to Social Security Act benefits, which demand strict policing of fraud, waste, and abuse to ensure future eligible individuals receive the benefits to which they are entitled. Consequently, this memorandum gives additional direction for implementing Executive Order 14218 with regard to Social Security Act programs.

(b) The Secretary of Labor, the Secretary of Health and Human Services, and the Commissioner of Social Security, in consultation with the Secretary of Homeland Security as necessary, shall take all reasonable measures, consistent with applicable law, to ensure ineligible aliens are not receiving funds from Social Security Act programs. Such measures shall include promulgating any necessary guidance or regulations regarding Social Security Act funds and, to the extent appropriate and consistent with law, prioritizing civil or administrative enforcement actions against States, localities, or other similar grantees or subgrantees that do not take adequate measures to verify eligibility, stop payments to deceased or otherwise ineligible payees, or otherwise prevent ineligible aliens from receiving funds from Social Security Act programs.

(c) The Attorney General and the Commissioner of Social Security shall cooperate to detail and credential such Special Assistant United States Attorneys as are necessary to expand the Social Security Administration's (SSA) full-time fraud prosecutor program to at least 50 United States Attorney Offices by October 1, 2025. Likewise, the Attorney General and the Secretary of Health and Human Services shall cooperate to establish a similar fraud-prosecutor program utilizing Special Assistant United States Attorneys with regard to programs administered by the Centers for Medicare and Medicaid Services, which shall operate in at least 15 United States Attorney Offices by October 1, 2025. Detailees in both programs shall emphasize prosecutions of identity theft and beneficiary-side fraud. To the extent feasible, the Attorney General and the Secretary of Health and Human Services or the Commissioner of Social Security, as applicable, shall prioritize assigning new detailees in both programs to the 10 United States Attorney Offices whose jurisdictions encompass the largest known populations of illegal aliens, as determined by the Secretary of Homeland Security.

(d) The risk of beneficiary- or recipient-side fraud and abuse by illegal aliens shall also be reduced through other program-integrity measures.

(i) The Inspector General of the SSA noted in a July 2023 audit that death information regarding millions of deceased number holders is missing from the agency's files, which obstructs efforts to prevent and detect fraud and improper payments across the Government with respect to executive departments and agencies that rely on SSA's information. The Commissioner of Social Security shall fully implement the recommendations in the Inspector General of the SSA's Audit Report A–06–21–51022. The Secretary of Health and Human Services shall cooperate fully with such implementation.

(ii) The same audit report revealed that the SSA does not investigate or attempt to resolve reports of earnings received by individuals age 100 or older if the SSA has not recorded death information for such individuals, even when the reported wage-earner does not match the name or other personally identifiable information in SSA records, which may indicate identity theft, illegal work, tax evasion, or other unlawful activity. The Commissioner of Social Security shall refer promptly to the Inspector General of the SSA all earnings reports for persons age 100 or older when the purported wage-earner's name does not match SSA's files. The Inspector General of the SSA shall investigate such matters as appropriate and refer matters to the Department of Justice, other executive departments and agencies, or local prosecutors as warranted.

(iii) Finally, within 60 days of the date of this memorandum, the Commissioner of Social Security shall review whether, and under what conditions, SSA should resume pursuing civil monetary penalties under section 1129 of the Social Security Act. If the Commissioner of Social Security determines that resumption is warranted, he shall either resume such program immediately or pursue regulatory or policy changes that would allow its resumption in a timely manner.

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 Commissioner of Social Security is authorized and directed to publish this memorandum in the **Federal Register**.

[FR Doc. 2025–07130 Filed 4–24–25; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 12703]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''The Kingdom of Pylos: Warrior-Princes of Mycenaean Greece'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''The Kingdom of Pylos: Warrior-Princes of Mycenaean Greece'' at The J. Paul Getty Museum at the Getty Villa, Pacific Palisades, California, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 574 of March 4, 2025.

Mary C. Miner,

Managing Director for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–07122 Filed 4–24–25; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36831]

Marquette Rail, LLC—Lease and Operation Exemption Including Interchange Commitment—CSX Transportation, Inc.

Marquette Rail, LLC (MQT), a Class III railroad, has filed a verified notice of exemption pursuant to 49 CFR 1150.41 to continue to lease from CSX Transportation, Inc. (CSXT), and operate the following several segments of rail line in Michigan totaling approximately 129.03 miles: (1) from milepost CGE 3.6 at the Grand Rapids station to milepost CGE 73.71 at the Baldwin station; (2) from milepost CB 106.91 at the Baldwin station to milepost CB 136.5 at the Ludington station; (3) from milepost CBA 87.0 at the Walhalla station to milepost CBA 113.7 at the Manistee station; and (4) the Filer City Spur extending an additional 2.63 miles from milepost CBA 113.7 at the Manistee station to the end of track at Filer City (the Line).[1]

According to the verified notice, MQT entered into an agreement to lease from CSXT and operate the Line in 2005. *Marquette Rail, LLC—Lease & Operation Exemption—CSX Transp., Inc.,* FD 34728 (STB served Oct. 26, 2005). MQT states that it and CSXT have agreed to extend the term of the lease and make other commercial changes. The verified notice states that MQT currently operates the Line and will continue to do so after the amended lease becomes effective.

According to the verified notice, the lease includes an interchange commitment. MQT has provided additional information regarding the interchange commitment, as required by 49 CFR 1150.43(h).[2]

MQT certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and that its annual revenues currently exceed $5,000,000. Pursuant to 49 CFR 1150.42(e), if a carrier's projected annual revenues will exceed $5 million, it must, at least 60 days before the exemption becomes effective, post a notice of its intent to undertake the proposed transaction at the workplace of the employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. However, MQT has requested waiver of the 60-day advance labor notice requirement. MQT's waiver request will be addressed in a separate decision. The Board will establish the effective date of the exemption in its separate decision on the waiver request.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than May 2, 2025.

All pleadings, referring to Docket No. FD 36831, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, one copy of each pleading must be served on MQT's representative, Eric M. Hocky, Clark Hill PLC, Two Commerce Square, 2001 Market Street, Suite 2620, Philadelphia, PA 19103.

According to MQT, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov*.

Decided: April 21, 2025.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Eden Besera,

Clearance Clerk.

[FR Doc. 2025–07119 Filed 4–24–25; 8:45 am]

BILLING CODE 4915–01–P

[1] MQT supplemented its verified notice on April 11, 2025, which is therefore deemed the filing date of the verified notice.

[2] Concurrent with the initial filing of its verified notice, CMQT filed, under seal, a copy of the amended lease. *See* 49 CFR 1150.43(h)(1) (providing that certain information related to interchange commitments, such as copies of agreements, will be kept confidential without an accompanying motion for a protective order). In its April 11 supplement, PNWR provided a replacement copy of that confidential agreement.

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36826]

Portland & Western Railroad, Inc.—Lease and Operation Exemption Including Interchange Commitment—Union Pacific Railroad Company

Portland & Western Railroad, Inc. (PNWR), a Class III railroad, has filed a verified notice of exemption under 49 CFR 1150.41 to continue to lease from Union Pacific Railroad Company (UP) and operate approximately 47.20 miles of rail line in Oregon (the Lines). The Lines consist of: (1) the approximately 23.91-mile Tillamook Branch, between milepost 740.72 near Willsburg and milepost 749.95 near Tigard, and between milepost 755.43 near Beaverton and milepost 770.50 near Schefflin; [1] (2)

[1] PNWR initially submitted its verified notice of exemption on April 4, 2025, but supplemented it on April 11, 2025, by, among other things, correcting the description of the lines subject to the lease. According to PNWR, approximately 5.48 miles of rail line, extending from milepost 749.95 to milepost 755.43, are not subject to the lease

the 9.45-mile Westside-Seghers Branch, between milepost 764.80 near Hillsboro and milepost 754.57 near Seghers; [2] and (3) the 14.32-mile Newberg Branch, between milepost 763.99 near Cook and milepost 749.67 near Newberg.

According to the verified notice, in 1995, PNWR entered into an agreement with UP's predecessor on the Lines, the Southern Pacific Transportation Company (SP),[3] to lease and operate the Lines. *See Portland & W. R.R.—Lease & Operation Exemption—S. Pac. Transp. Co.,* FD 32758 (ICC served Sept. 13, 1995). PNWR states that the original lease was for a period of 10 years and automatically extended into 2025. PNWR further states that PNWR and UP have amended the original lease numerous times [4] and that the parties have agreed to further extend the term and to make other commercial revisions. According to PNWR, it will continue to be the operator on the Lines after the transaction.

According to the verified notice, the lease agreement with UP contains an interchange commitment pertaining to interchange with carriers other than UP. PNWR has provided additional information regarding the interchange commitment as required by 49 CFR 1150.43(h).[5]

PNWR certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier and that its current annual revenues exceed $5 million. Pursuant to 49 CFR 1150.42(e), if a carrier's projected annual revenues will exceed $5 million, it must, at least 60 days before the exemption is to become effective, post a notice of its intent to undertake the proposed transaction at the workplace of the employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. PNWR, however, has petitioned for waiver of the 60-day advance labor notice requirements. PNWR's waiver request will be addressed in a separate decision. The Board will establish the effective date of the exemption in its separate decision on the waiver request.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than May 2, 2025.

All pleadings, referring to Docket No. FD 36826, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on PNWR's representative, Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Avenue NW, Suite 1300 South, Washington, DC 20004.

According to PNWR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov.*

Decided: April 22, 2025.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Aretha Laws-Byrum,

Clearance Clerk.

[FR Doc. 2025–07192 Filed 4–24–25; 8:45 am]

BILLING CODE 4915–01–P

because PNWR holds authority to operate this segment via a perpetual freight easement. *See Portland & W. R.R.—Acquis. & Operation Exemption—Union Pac. R.R.,* FD 34792 (STB served Nov. 24, 2006). In light of PNWR's supplement, April 11, 2025, is considered the filing date of the verified notice.

[2] According to PNWR, while the distance noted here is correct, the mileposts have not been redesignated to reflect a previous abandonment.

[3] PNWR states that UP succeeded to the rights of SP as a result of the merger authorized in *Union Pacific Corp.—Control & Merger—Southern Pacific Rail Corp.,* 1 S.T.B. 233 (1996).

[4] PNWR does not indicate whether it believes authority from the Board was necessary for the previous amendments. The class exemption invoked by PNWR does not provide for retroactive effectiveness. *See Cent. N.Y. R.R.—Lease & Operation Exemption Including Interchange Commitment—Norfolk S. Ry.,* FD 36825, slip op. at 2 n.3 (STB served Mar. 28, 2025).

[5] Concurrent with the initial filing of its verified notice of exemption, PNWR filed, under seal, portions of the amended lease. *See* 49 CFR 150.43(h)(1) (providing that certain information related to interchange commitments, such as copies of agreements, will be kept confidential without an accompanying motion for a protective order). In its April 11 supplement, PNWR provided, under seal, the full amended agreement.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–0605]

Airport Improvement Program (AIP) Grant Assurances

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

ACTION: Notice of modification of Airport Improvement Program grant assurances; opportunity to comment.

SUMMARY: The FAA proposes updates to the AIP grant assurances to reflect recent legislative provisions in the FAA Reauthorization Act of 2024 as well as recently issued executive orders.

DATES: The FAA is implementing these modified grant assurances upon publication of this notice to expedite processing Fiscal Year 2025 grants. The FAA will accept public comments concerning these modified grant assurances for 14 days. Comments must be submitted on or before May 9, 2025. If necessary, in response to comments received, the FAA will consider appropriate revisions to these grant assurance modifications through publication of a subsequent notice in the **Federal Register**.

ADDRESSES: You may send comments [identified by Docket Number FAA–2025–0605] using any of the following methods:

- *Government-Wide Rulemaking Website:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, Routing Symbol M–30, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Fax:* 1–202–493–2251.
- *Hand Delivery:* To Docket Operations, Room W12–140 on the ground floor of the West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: David F. Cushing, Manager, Airports Financial Assistance Division, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8827; fax: (202) 267–5302.

SUPPLEMENTARY INFORMATION: A sponsor (applicant) seeking financial assistance in the form of an AIP grant for airport planning, airport development, noise compatibility planning, or noise mitigation under 49 U.S.C., as amended, or an airport development grant under the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117–58), must agree to comply with certain assurances. These grant assurances are incorporated in and become part of a sponsor's grant agreement for Federal financial assistance. As need dictates, the FAA modifies these assurances to reflect new Federal requirements. Notice of such modifications is published in the **Federal Register**, and an opportunity for public comment is provided. The assurances that apply to a sponsor depend on the type of sponsor.

There are four types of grant assurances:

- Airport Sponsor (applicable for airport development);
- Non-Airport Sponsors Undertaking Noise Compatibility Program Projects;
- Planning Agency Sponsors; and
- Aviation State Block Grant Program.

The current assurances were published on May 2, 2022, at 87 FR 25691. Prior to the FAA Reauthorization Act of 2024 (Pub. L. 118–63), the assurances were published on:

- February 3, 1988, at 53 FR 3104 and amended on September 6, 1988, at 53 FR 34361;
- August 29, 1989, at 54 FR 35748;
- June 10, 1994, at 59 FR 30076;
- January 4, 1995, at 60 FR 521;
- June 2, 1997, at 62 FR 29761;
- August 18, 1999, at 64 FR 45008;
- August 24, 2004, at 69 FR 52057 and amended on March 29, 2005, at 70 FR 15980;
- March 18, 2011, at 76 FR 15028;
- April 13, 2012, at 72 FR 22376;
- April 3, 2014, at 79 FR 18755;
- February 28, 2020, at 85 FR 12048; and
- May 2, 2022, at 84 FR 25691.

A complete list of the current grant assurances may be viewed at: *https://www.faa.gov/airports/aip/grant_assurances.*

Discussion of Grant Assurance Modifications

The FAA is making five changes to the grant assurances. These changes will be in effect for grants issued in fiscal year 2025 and beyond. The changes to the grant assurances are as follows:

Removal of Executive Orders

Executive Order 11246—Equal Employment Opportunity
Executive Order 12898—Environmental Justice
Executive Order 13985—Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
Executive Order 13988—Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
Executive Order 14008—Tackling the Climate Crisis at Home and Abroad

Additions to Federal Legislation and List of Executive Orders

Infrastructure Investment and Jobs Act, Public Law 117–58, Title VIII
Executive Order 14149—Restoring Freedom of Speech and Ending Federal Censorship
Executive Order 14151—Ending Radical and Wasteful Government DEI Programs and Preferencing
Executive Order 14154—Unleashing American Energy
Executive Order 14168—Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
Executive Order 14173—Ending Illegal Discrimination and Restoring Merit-Based Opportunity

Updates to Grant Assurances 1, General Federal Requirements

The FAA updated the introductory paragraph of Grant Assurance 1 to include the following language:

''Performance under this agreement shall be governed by and in compliance with the following requirements, as applicable, to the type of organization of the Sponsor and any applicable sub-recipients. The applicable provisions to this agreement include, but are not limited to, the following:''

Updates to Grant Assurances 5, Preserving Rights and Powers, and 29, Airport Layout Plan

The FAA updated Grant Assurances 5 and 29 to conform with Section 743 of the FAA Reauthorization Act of 2024 (Pub. L. 118–63).

Updates to Grant Assurance 30, Civil Rights

The FAA updated Grant Assurance 30 to conform with Executive Order 14151, Ending Radical and Wasteful Government DEI Programs and Preferencing.

Addition of Assurance 40, Access to Leaded Aviation Fuel

The FAA has added Grant Assurance 40 that requires an airport owner or operator that made any 100-octane low lead aviation gasoline (100LL) available at such airport, at any time during calendar year 2022, to not restrict or prohibit the sale of or self-fueling with 100-octane low lead aviation gasoline. This requirement remains until the earlier of December 31, 2030, or the date on which the airport or any retail fuel seller at the airport makes available an unleaded aviation gasoline that has been authorized for use by the Administrator of the Federal Aviation Administration as a replacement for 100-octane low lead aviation gasoline for use in nearly all piston-engine aircraft and engine models; and meets either an industry consensus standard or other standard that facilitates the safe use, production, and distribution of such unleaded aviation gasoline, as determined appropriate by the Administrator. Violations are subject to civil penalties in accordance with 49 U.S.C. 46301(a)(8).

Authority for Grant Assurance Modifications

This notice is published under the authority described in Subtitle VII, Part B, Chapter 471, Sections 47107 and 47122 of Title 49 United States Code (U.S.C.). In addition, the statutory authorities delegated to the Federal Aviation Administration are enumerated in Title 49 Code of Federal Regulations (CFR) 1.83 (''Delegations to the Federal Aviation Administration'').

Issued in Washington, DC, on April 22, 2025.

David F. Cushing,

Manager, Airports Financial Assistance Division.

[FR Doc. 2025–07224 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2025–01; Proper Configuration of Grand Master 4000 and 4000A Switch Machines To Prevent Unintended Switch Movement

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of safety advisory.

SUMMARY: FRA is issuing Safety Advisory 2025–01 to heighten awareness within the rail industry of the potential for unintended movement of Grand Master 4000 and 4000A switch machines. Improper configuration of these machines could allow power to be present at the switch machine controller when locking is in effect, creating the potential for unintended switch movement underneath or in front of a train.

FOR FURTHER INFORMATION CONTACT: Scott Johnson, Part 236 Subject Matter Expert, Signal, Train Control and Crossings Division, Office of Railroad Safety, FRA, 1200 New Jersey Ave. SE, Washington, DC 20590, 406–210–3608, *scott.j.johnson@dot.gov.*

Disclaimer: This Safety Advisory is considered guidance pursuant to DOT Order 2100.6A (June 7, 2021). Except when referencing laws, regulations, policies, or orders, the information in this Safety Advisory does not have the force and effect of law and is not binding in any way. This document does not review or replace any previously issued guidance.

SUPPLEMENTARY INFORMATION:

Background

The Grand Master 4000 and 4000A is an electric switch machine designed to

be used at controlled points, interlockings and derails.

A recent derailment was reported to the FRA that was caused by the unintended movement of a switch underneath a train. The unintended movement of the switch was the result of the improper configuration of a Grand Master 4000A switch machine amplifier. Specifically, the amplifier was configured in the 3 wire position and not the intended 4 wire position. Subsequent investigation has determined that the Grand Master 4000 switch machine amplifier has the same configuration design and is also at risk of causing the unintended movement of the switch when improperly configured.

The Grand Master 4000 and 4000A switch machines have four different motor control wiring configurations that can be selected based on the user's needs and a 3W/4W (3 wire or 4 wire configuration) controller key switch or plug that must be positioned correctly based on the wiring configuration to permit safe operation of the machine. According to the configuration instructions in the manufacturer's manual, all configurations except the 4-wire configuration require the 3W/4W controller key switch or plug to be placed in the 3W position.

Field testing has demonstrated that if the Grand Master 4000 and 4000A is configured in the 4-wire configuration and the 3W/4W controller key switch or plug is placed in the 3W position, power may be present in the switch machine controller when locking is required to be in effect.[1] If power is present in the switch machine controller when locking is required to be in effect, unintended movement of the switch may occur under a train or in front of a train approaching the switch.

Recommended Railroad Actions: In light of the above discussion and to ensure the safety of the Nation's railroads, their employees, and the general public, FRA recommends that railroads:

1. Ensure the signal circuit plans for each location equipped with a Grand Master 4000 or 4000A switch machine clearly indicate the correct wiring configuration used for the switch machine and the proper position of the 3W/4W controller key switch or plug. This configuration should be consistent with the configuration instructions in the manufacturer's manual.

2. Ensure the wiring configuration of each Grand Master 4000 and 4000A switch machine and the position of the 3W/4W controller key switch or plug match the information on the signal circuit plans.

3. Include in locking test procedures a test to validate that power is removed from the switch machine controller when locking in required. This test may be performed by the placement of a 0.06-ohm shunt in the OS and visual confirmation that all lights on top of the controller are dark.

4. Perform locking tests for each Grand Master 4000 and 4000A switch machine location to ensure power is removed from the switch machine controller when locking is required to be in effect to prevent unintended switch movement.

5. Ensure locking test procedures provide that employees verify that power is removed from the switch machine controller when locking is required to be in effect.

6. Ensure that employees are trained to verify that the wiring configuration of each Grand Master 4000 and 4000A switch machine is correct and the 3W/4W controller key switch or plug is in the proper position when the wiring configuration is changed, or the switch machine controller is replaced.

7. Ensure all lights on top of the switch machine controller are dark before trains are allowed to proceed over the switch under signal indication.

FRA encourages all railroad industry members to take actions consistent with the recommendations of this Safety Advisory. FRA also encourages railroad industry members to seek input from their workforce as the industry prepares to act on the recommendations of this Safety Advisory. FRA may modify this Safety Advisory, issue additional safety advisories, or take other appropriate action necessary to ensure the highest level of safety on the Nation's railroads, including pursuing other corrective measures under its rail safety authority.

[1] According to the field wiring configurations table on page 3–10 in the manufacturer's manual, the 4-wire configuration is the only configuration that does not have an input to terminal TB1–2. Therefore, if an input wire is present on terminal TB1–2, the Grand Master 4000 or 4000A is not configured in a 4-wire configuration.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025–07153 Filed 4–24–25; 8:45 am]

BILLING CODE 4910–06–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 vessel placed on the SDN List has been identified as property in which a blocked person has an interest.

DATES: This action was issued on April 22, 2024. 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 April 22, 2024, 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

Individuals:

1. EMAMJOMEH, Meisam (Arabic: ميثم امام جمعه) (a.k.a. EMAMJOME, Meisam), United Arab Emirates; DOB 14 Feb 1980; POB Iran; nationality Iran; alt. nationality United Kingdom; Gender Male; Passport 538993944 (United Kingdom); alt. Passport K96797853 (Iran) expires 05 Aug 2028; National ID No. 0064420701 (Iran) (individual) [IRAN-EO13902] (Linked To: ARSA GAS COMPANY).

   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), having acted or purported to act for or on behalf of, directly or indirectly, ARSA GAS COMPANY, a person whose property and interests in property are blocked pursuant to E.O. 13902.

2. EMAMJOMEH, Seyed Asadoollah (Arabic: سيد اسدالله امام جمعه) (a.k.a. EMAMJOME, Seyed Asadollah; a.k.a. EMAMJOMEH, Seyed Assadolah; a.k.a. "EMAMJOME, Asadollah"), Dubai, United Arab Emirates; Tehran, Iran; DOB 24 Mar 1952; POB Golpayegan, Iran; nationality Iran; alt. nationality Dominica; Gender Male; Passport X96591179 (Iran); National ID No. 1219242901 (Iran) (individual) [IRAN-EO13902]

   Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the petroleum sector of the Iranian economy.</EXTRACT>

Entities:

1. ARSA GAS COMPANY (Arabic: شركت ارسا گاز), Number 113, Floor 3, Hovizeh Street, Marghab Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553616915, Iran; Organization Established Date 26 Jan 1958; National ID No. 10100288820 (Iran); Registration Number 5918 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

2. NILGON PARSA CASPIAN SHIPPING COMPANY (Arabic: شركت حمل و نقل دريايى نيلگون پارسای كاسپين), Number 1, Floor 1, Vida Street, Hovizeh Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553613114, Iran; Organization Established Date 08 Jul 2013; National ID No. 10320886193 (Iran); Registration Number 440539 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

3. PARSA FIDAR PAYDAR ENGINEERING AND TECHNOLOGY COMPANY (Arabic: شركت فنى و مهندسى پارسا فيدار پايدار), Number 113, Ground Floor, Hovizeh Street, Marghab Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553616911, Iran; Organization Established Date 06 Jul 2013; National ID No. 14003498305 (Iran); Registration Number 439636 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

4. PARSA SALAKH QESHM INDUSTRIAL COMPLEX (Arabic: مجتمع صنعتى پارسا سلخ قشم) (a.k.a. PARSA FIDAR PAYDAR SALAKH QESHM ENGINEERING TECHNOLOGY COMPANY), Unit 503, Floor 5, Damas Complex, Number 0, Pejuhesh Street, 22 Bahman Boulevard, Qeshm, Hormuzgan 7951617786, Iran; Organization Established Date 22 Jun 2022; National ID No. 14011274631 (Iran); Registration Number 7200 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

5. PARSA TRABAR CASPIAN INTERNATIONAL TRANSPORTATION COMPANY (Arabic: شركت حمل و نقل بين المللى پارسا ترابر كاسپين), Number 113, Floor 1, Hovizeh Street, Marghab Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553616913, Iran; Organization Established Date 14 Jan 2014; National ID No. 14003847647 (Iran); Registration Number 448600 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

6. PARSA TRABAR PERSIA INTERNATIONAL TRANSPORTATION COMPANY (Arabic: شركت حمل و نقل بين المللى پارسا ترابر پرشيا), Number 1, Basement Level 1, Vida Street, Hovizeh Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553613111, Iran; Organization Established Date 13 Jul 2005; National ID No. 10102910733 (Iran); Registration Number 250587 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

   Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

7. PASAR GAS COMPANY (Arabic: شركت پاسار گاز), Number 113, Floor 2, Hovizeh Street, Marghab Street, Shahid Qandi-Nilufar, Central Section, Tehran,

Tehran 1553616914, Iran; Organization Established Date 10 Jan 2010; National ID No. 10100483906 (Iran); Registration Number 12524 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

8. PASAR GAS NOVIN TRADING COMPANY (Arabic: شركت بازرگانی پاسار گاز نوین), Number 1, Ground Floor, Vida Street, Hovizeh Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553613113, Iran; Organization Established Date 06 Oct 2001; National ID No. 10102214580 (Iran); Registration Number 179227 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

9. PETRO PARSA CASPIAN IRANIAN COMPANY (Arabic: شركت پترو پارسا كاسپين ايرانيان), Number 1, Basement Level 1, Vida Street, Hovizeh Street, Shahid Qandi-Nilufar, Central Section, Tehran, Tehran 1553613111, Iran; Organization Established Date 03 Aug 2016; National ID No. 14006050028 (Iran); Registration Number 496098 (Iran) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

10. CASPIAN PETROCHEMICAL FZE (Arabic: كاسبيان بتروكيميكال م م ح), E-LOB Office No. E2-127G-27, Hamriyah Free Zone, Sharjah, United Arab Emirates; Organization Established Date 19 Mar 2012; License 9085 (United Arab Emirates); Economic Register Number (CBLS) 11580327 (United Arab Emirates) [IRAN-EO13902] (Linked To: EMAMJOMEH, Seyed Asadoollah).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, SEYED ASADOOLLAH EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

11. PEARL PETROCHEMICAL FZE (Arabic: لؤلؤة البتروكيماويات ش م ح), Dubai, United Arab Emirates; Organization Established Date 26 Apr 2005; License 662 (United Arab Emirates); Economic Register Number (CBLS) 11436349 (United Arab Emirates) [IRAN-EO13902] (Linked To: EMAMJOMEH, Meisam).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, MEISAM EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

12. WORLDWIDE LPG LIMITED, Suite 2, Fulham Business Exchange, The Boulevard, London SW6 2TL, United Kingdom; Organization Established Date 04 Oct 2011; Company Number 07796811 (United Kingdom) [IRAN-EO13902] (Linked To: EMAMJOMEH, Meisam).

Designated pursuant to section 1(a)(iv) of Executive Order 13902 for being owned or controlled by, directly or indirectly, MEISAM EMAMJOMEH, a person whose property and interests in property are blocked pursuant to E.O. 13902.

On April 22, 2025, OFAC also identified the following vessel as property in which a blocked person has an interest under the relevant sanctions authority listed below.

Vessels:

1. TINOS I (3E5261) LPG Tanker Panama flag; Vessel Registration Identification IMO 9969821; MMSI 352003638 (vessel) [IRAN-EO13902] (Linked To: PEARL PETROCHEMICAL FZE).

Lawrence M. Scheinert,

Acting Deputy Director, Office of Foreign Assets Control.

[FR Doc. 2025–07152 Filed 4–24–25; 8:45 am]

BILLING CODE 4810–AL–C

DEPARTMENT OF THE TREASURY

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In accordance with section 999(a)(3) of the Internal Revenue Code of 1986, the Department of the Treasury is publishing a current list of countries which require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

On the basis of the best information currently available to the Department of the Treasury, the following countries require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

Iraq
Kuwait
Lebanon
Libya
Qatar
Saudi Arabia
Syria
Yemen

Lindsay Kitzinger,

International Tax Counsel (Tax Policy).

[FR Doc. 2025–07149 Filed 4–24–25; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Internal Revenue Service (IRS) Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before May 27, 2025 to be assured of consideration.

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 the submissions may be obtained from Melody Braswell by emailing *PRA@treasury.gov,* calling (202) 622–1035, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

1. Title: Application for Employer Identification Number.

OMB Number: 1545–0003.

Document Number: Forms SS– and SS–4 (SP).

Abstract: Taxpayers who are required to have an identification number for use on any return, statement, or other document must prepare and file Form SS–4 or Form SS–4 (SP) to obtain a

number. The information is used by the Internal Revenue Service and the Social Security Administration in tax administration and by the Bureau of the Census for business statistics.

Current Actions: There are no changes being made to the forms at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, individuals or households, not-for-profit institutions, farms, Federal Government, and State, local or Tribal governments.

Estimated Number of Respondents: 7,953,950.

Estimated Time per Respondent: 8 hours.

Estimated Total Annual Burden Hours: 69,358,445.

2. Title: Application for Exemption from Social Security and Medicare Taxes and Waiver of Benefits.

OMB Number: 1545–0064.

Document Number: Form 4029.

Abstract: Form 4029 is used by members of recognized religious groups to apply for exemption from social security and Medicare taxes under Internal Revenue Code sections 1402(g) and 3127. The information is used to approve or deny exemption from social security and Medicare taxes.

Current Actions: There are no changes to the form. However, updates in the estimated number of annual responses will decrease the burden previously approved by 343 hours.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 3,414.

Estimated Time per Respondent: 60 min.

Estimated Total Annual Burden Hours: 3,449.

3. Title: Certain Government Payments.

OMB Number: 1545–0120.

Form Number: 1099–G.

Abstract: Form 1099–G is used to report government payments such as unemployment compensation, state and local income tax refunds, credits, or offsets, reemployment trade adjustment assistance (RTAA) payments, taxable grants, agricultural payments, or for payments received on a Commodity Credit Corporation (CCC) loan.

Current Actions: There are no changes to the existing collection. However, the estimated number of responses has been updated based on current filing data.

Type of Review: Extension of a currently approved collection.

Affected Public: Federal, State, local or Tribal governments.

Estimated Number of Responses: 83,436,800.

Estimated Time per Response: 18 minutes.

Estimated Total Annual Burden Hours: 25,031,040.

4. Title: Certain Gambling Winnings.

OMB Number: 1545–0238.

Form Number: Form W–2G.

Abstract: Internal Revenue Code sections 6041, 3402(q), and 3406 require payers of certain gambling winnings to withhold tax and to report the winnings to the IRS. The IRS uses the information to verify compliance with the reporting rules and to verify that the winnings are properly reported on the recipient's tax return.

Current Actions: There are changes to the existing collection to update the number of responses per the projected filings from Publication 6961.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, individuals or households, and not-for-profit institutions, and state, local or tribal governments.

Estimated Number of Responses: 31,114,200.

Estimated Time per Respondent: 24 minutes.

Estimated Total Annual Burden Hours: 12,445,680.

5. Title: Information Returns (IR) Application for Transmitter Control Code (TCC).

OMB Number: 1545–0387.

Publication Number: 5911.

Abstract: The IR Application for TCC is used to request authorization to participate in electronic filing of Information Returns through the Filing of Information Returns Electronically (FIRE) System. Approved applicants will be assigned a Transmitter Control Code (TCC), which is a 5-digit alpha numeric code that identifies the business transmitting the electronic returns. Publication 5911 provides a tutorial of the application and includes information about who can apply and how to use the application.

Current Actions: The IRS has obsoleted the Form 4419 and now collects the information via the IR Application for TCC.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit organizations, non-profit institutions, and Federal, State, local, or tribal governments.

Estimated Number of Respondents: 34,808.

Estimated Time per Respondent: 20 minutes.

Estimated Total Annual Burden Hours: 11,487.

6. Title: Request for a Copy of Exempt or Political Organization IRS Form, Application, or Letter.

OMB Number: 1545–0495.

Form Number(s): 4506–A and 4506–B.

Abstract: Internal Revenue Code section 6104 states that if an organization described in section 501(c) or (d) is exempt from taxation under section 501(a) for any taxable year, the application for exemption is open for public inspection. This includes all supporting statements, any letter or other documents issued by the IRS concerning the application, and certain annual returns of the organization. Form 4506–A, Request for Public Inspection or Copy of Exempt or Political Organization IRS Form and Form 4506–B, Request for a Copy of Exempt Organization IRS Application or Letter, is used to request public inspection or a copy of these forms.

Current Actions: There are no changes to the forms, however, the agency has updated the estimated number of respondents based on the most recent filing data. The agency estimates 8,000 more respondents for a total of 27,000 respondents, increasing overall burden by 6,790 (19,400 hours to 26,190 hours). However, the estimated time per response remains the same at 58 minutes as there have been no changes to the forms.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, and businesses or other for-profit organizations, not-for-profit, institutions, farms, and Federal, state, local or tribal governments.

Estimated Number of Respondents: 27,000.

Estimated Time per Response: 58 minutes.

Estimated Total Annual Burden Hours: 26,190 hours.

7. Title: Excise Tax on Greenmail.

OMB Number: 1545–1049.

Regulation Project Number: TD 8379.

Form Number: 8725.

Abstract: Treasury Decision (TD) 8379 provide rules relating to the manner and method of reporting and paying the nondeductible 50 percent excise tax imposed by section 5881 of the Internal Revenue Code with respect to the receipt of greenmail. The reporting requirements will be used to verify that the excise tax imposed under section 5881 is properly reported and timely paid. Form 8725 is used by persons who receive ''greenmail'' to compute and pay the excise tax on greenmail imposed under Internal Revenue Code section 5881. IRS uses the information to verify that the correct amount of tax has been reported.

Current Actions: There is no change to these existing collection requirements.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals and business or other for-profit organizations.

Estimated Number of Responses: 12.

Estimated Time per Response: 7 hours, 37 minutes.

Estimated Total Annual Burden Hours: 92.

8. Title: Tax treatment of salvage and reinsurance yearly disclosure to state insurance regulatory agencies.

OMB Number: 1545–1227.

Regulation Project Number: TD 8390.

Abstract: Section 1.832–4(d)(2)(i)(A) and (B) allows a nonlife insurance company to increase unpaid losses on a yearly basic by the amount of estimated salvage recoverable if the company discloses this to the state insurance regulatory authority.

Current Actions: There is no change to the burden previously approved.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 2,500.

Estimated Time per Respondent: 2 hours.

Estimated Total Annual Burden Hours: 5,000.

9. Title: Limitations on Passive Activity Losses and Credits.

OMB Number: 1545–1244.

Regulation Project Number: TD 9013.

Abstract: Regulation section 1.469–7(g) permits entities to elect to avoid application of section 1.469–7 in the event the passthrough entity chooses to not have the income from lending transactions with owners of interests in the entity recharacterized as passive activity gross income. The IRS will use this information to determine whether the entity has made a proper timely election and to determine that taxpayers are complying with the election in the taxable year of the election and subsequent taxable years.

Current Actions: There is no change to the regulation or paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or Households, businesses or other for-profit organizations.

Estimated Number of Respondents: 1,000.

Estimated Time per Respondent: 6 minutes.

Estimated Total Annual Burden Hours: 100.

10. Title: Qualified Electric Vehicle Credit.

OMB Number: 1545–1374.

Form Number: 8834.

Abstract: Form 8834 is used to claim any qualified electric vehicle passive activity credit allowed for the current tax year. The IRS uses the information on the form to determine that the credit is allowable and has been properly computed.

Current Actions: There is no change in the form or paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, and businesses or other for-profit organizations.

Estimated Number of Respondents: 3,136.

Estimated Time per Response: 4 hours, 47 min.

Estimated Total Annual Burden Hours: 15,022 hours.

11. Title: Electronic Federal Tax Payment System (EFTPS).

OMB Number: 1545–1467.

Form Number: Forms 9779, 9783, and 14781.

Abstract: These forms are used by business and individual taxpayers to enroll in the Electronic Federal Tax Payment System (EFTPS). EFTPS is an electronic remittance processing system the Service uses to accept electronically transmitted Federal tax payments. EFTPS (1) establishes and maintains a taxpayer data base which includes entity information from the taxpayers or their banks, (2) initiates the transfer of the tax payment amount from the taxpayer's bank account, (3) validates the entity information and selected elements for each taxpayer, and (4) electronically transmits taxpayer payment data to the IRS.

Current Actions: There are no changes to the burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals, business or other for-profit organizations, and State, local or Tribal governments.

Estimated Number of Respondents: 2,825,000.

Estimated Time per Responses: 10 minutes.

Estimated Total Annual Burden Hours: 480,332.

12. Title: Mark to Market Election for Commodities Dealers and Securities and Commodities Traders.

OMB Number: 1545–1641.

Revenue Procedure Number: 99–17 (modified by Revenue Procedure 99–49).

Abstract: The revenue procedure prescribes the time and manner for dealers in commodities and traders in securities or commodities to elect to use the mark-to-market method of accounting under Sec. 475(e) or (f) of the Internal Revenue Code. The collections of information of this revenue procedure are required by the IRS in order to facilitate monitoring taxpayers changing accounting methods resulting from making the elections under Sec. 475(e) or (f).

Current Actions: There are no changes being made to the Rev. Proc. at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 1,000.

Estimated Time per Respondent: 30 mins.

Estimated Total Annual Burden Hours: 500.

13. Title: Combined Information Reporting.

OMB Number: 1545–1667.

Regulation Project Number: Revenue Procedure 99–50.

Abstract: Revenue Procedure 99–50 permits combined information reporting by a successor business entity (*i.e.,* a corporation, partnership, or sole proprietorship) in certain situations following a merger or an acquisition. Combined information reporting may be elected by a successor with respect to certain Forms 1042–S and all forms in series 1098, 1099, and 5498. The procedures also apply to Forms 1097, 3921, 3922, and W–2G. The successor must file a statement with the IRS indicating what forms are being filed on a combined basis.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, not-for-profit institutions, and farms.

Estimated Number of Responses: 6,000.

Estimated Time per Respondent: 5 minutes.

Estimated Total Annual Burden Hours: 575.

14. Title: Qualified Severance.

OMB Number: 1545–1902.

Document Number: TD 9348, TD 9421.

Abstract: TD 9438 contains final regulations providing guidance regarding the qualified severance of a trust for generation-skipping transfer (GST) tax purposes under section 2642(a)(3) of the Internal Revenue Code (Code), which was added to the Code by the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA).

TD 9421 contains final regulations providing guidance regarding the GST tax consequences of the severance of a trust in a manner that is effective under state law, but that does not meet the requirements of a qualified severance under section 2642(a)(3) of the Code.

Current Actions: There is no change in the collections of information previously approved by OMB. However, IRS is requesting updates to properly account for both burdens addressed in TD 9348 and TD 9421. This request is to extend the current approval for another 3 years.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 700.

Estimated Time per Respondent: 2 hrs., 1 min.

Estimated Total Annual Burden Hours: 1,402.

15. Title: Claim for Refund of Excise Taxes.

OMB Number: 1545–1420.

Form Number: Form 8849 and Schedules 1, 2, 3, 5, 6, and 8.

Abstract: IRC sections 6402, 6404, 6511 and sections 301.6402–2, 301.6404–1, and 301.6404–3 of the regulations allow for refunds of taxes (except income taxes) or refund, abatement, or credit of interest, penalties, and additions to tax in the event of errors or certain actions by IRS. Taxpayers use Form 8849 to claim refunds of excise taxes.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, individuals or households, and not-for-profit institutions, farms, and Federal, State, local or tribal governments.

Estimated Number of Responses: 111,147.

Estimated Time per Respondent: 8 hours, 31 minutes.

Estimated Total Annual Burden Hours: 946,827.

16. Title: Branded Prescription Drugs.

OMB Number: 1545–2209.

Regulation Number: REG–112805–10, (TD 9544).

Abstract: TD 9544 contains regulations that provide guidance on the annual fee imposed on covered entities engaged in the business of manufacturing or importing branded prescription drugs.

Current Actions: There is no change in the form or paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit organizations.

Estimated Number of Respondents: 45.

Estimated Time per Respondent: 40 hrs.

Estimated Total Annual Burden Hours: 1,800.

17. Title: Failure of Employer to Make Comparable Health Savings Account Contributions.

OMB Number: 1545–2146.

Document Number: Form 8928.

Abstract: Under section 4980G, an excise tax is imposed on an employer that fails to make comparable contributions to the HSAs of its employees. Form 8928 is used to report payment of excise taxes by employers and group plans under Code sections 4980B, 4980D, 4980F and 4980G.

Current Actions: There are no changes to the burden previously approved.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, not-for-profit organizations, and individuals.

Estimated Number of Respondents: 68.

Estimated Time per Respondent: 23 hrs., 29 min.

Estimated Total Annual Burden Hours: 1,597.

18. Title: Application for Automatic Extension of Time To File Form 709 or Form 709–NA and/or Payment of Gift/Generation-Skipping Transfer Tax.

OMB Number: 1545–1913.

Form Number: Form 8892.

Abstract: Form 8892 was created to serve a dual purpose. First, the form enables the taxpayers to request an automatic 6-month extension of time to file Form 709 or Form 709–NA when they are not filing an individual income tax extension using Form 4868. Second, to make a payment of gift tax when you're applying for an extension of time to file Form 709 or 709–NA (including payment of any generation-skipping transfer (GST) tax from Form 709 or 709–NA).

Current Actions: The title of the form is changing. There are no changes to the response time for completing the form. The IRS is adjusting the burden estimates to increase the number of potential respondents to 300.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 300.

Estimated Time per Respondent: 46 minutes.

Estimated Total Annual Burden Hours: 229.

19. Title: Reporting of suspected tax law violations.

OMB Number: 1545–1960.

Document Number: Form 3949–A.

Abstract: Form 3949–A is used by certain taxpayer/investors wishing to report alleged tax violations. The form has been designed to capture the essential information needed by IRS for an initial evaluation of the report. Submission of the information included on the form is entirely voluntary.

Current Actions: There is no change in the burden previously approved by OMB. This request is to extend the current approval for another 3 years.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 215,000.

Estimated Time per Respondent: 15 min.

Estimated Total Annual Burden Hours: 53,750.

20. Title: Section 9100 Relief for 338 Elections.

OMB Number: 1545–1820.

Revenue Procedure Number: 2003–33.

Abstract: Revenue Procedure 2003–33 provides qualifying taxpayers with an extension of time pursuant to § 301.9100–3 of the Procedure and Administration Regulations to file an election described in § 338(a) or § 338(h)(10) of the Internal Revenue Code to treat the purchase of the stock of a corporation as an asset acquisition.

Current Actions: There are no changes being made to the Rev. Proc. at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, and individuals or households.

Estimated Number of Responses: 60.

Estimated Time per Respondent: 5 hours.

Estimated Total Annual Burden Hours: 300.

21. Title: Repayment of a buyout prior to re-employment with the Federal Government.

OMB Number: 1545–1920.

Form Number: Forms 12311.

Abstract: This form requests applicants to certify if they ever worked for the Federal Government and if they received a Buyout within the last 5 years. This is to ensure that applicants who meet the criteria are counseled that they are required to pay back the entire Buyout prior to entering on duty with the IRS.

Current Actions: There is no change to the burden previously approved.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profits.

Estimated Number of Responses: 6,624.

Estimated Time per Respondent: 5 min.

Estimated Total Annual Burden Hours: 530.

22. Title: Special Rules for Single-Employer Defined Benefit Pension Plans (TD 9467) and Election of Alternative Minimum Funding Standards for Community Newspaper Plans (Notice 2020–60).

OMB Number: 1545–2095.

Regulation and Notice Number: REG–139236–07 (TD 9467) and Notice 2020–60.

Abstract: REG–139236–07 (TD 9467): The information required under section 1.430(f)–1(f) is required in order for plan sponsors to make elections regarding a plan's credit balances upon occasion. The information required under section 1.430(h)(2)–1(e) is required in order for a plan sponsor to make an election to use an alternative interest rate for purposes of determining a plan's funding obligations under section 1.430(h)(2)–1. The information required under sections 1.436–1(f) and 1.436–1(h) is required in order for a qualified defined benefit plan's enrolled actuary to provide a timely certification of the plan's adjusted funding target attainment percentage (AFTAP) for each plan year to avoid certain benefit restrictions.

Notice 2020–60 (Election of Alternative Minimum Funding Standards for Community Newspaper Plans): Section 115(a) of the Setting Every Community Up for Retirement Enhancement Act of 2019 (SECURE Act), Division O of the Further Consolidated Appropriations Act, 2020, Pub. L. 116–94, under section 430(m) to the Code permit the plan sponsor of a community newspaper plan under which no participant has had an increase in accrued benefit after December 31, 2017 to elect to have alternative minimum funding standards apply to the plan in lieu of the minimum funding requirements that would otherwise apply under section 430. Pursuant to section 430(m)(2), any election under section 430(m) will be made at such time and in such manner as prescribed by the Secretary, and once an election is made with respect to a plan year, it will apply to all subsequent plan years unless revoked with the consent of the Secretary. Notice 2020–60 provides guidance regarding this election.

Current Actions: There are changes to the collection and paperwork burden previously approved by OMB. The election under Internal Revenue Code section 3608(b) of the CARES Act (Notice 2020–61) is no longer relevant. It is an election to treat a DB plan's adjusted funding target attainment percentage (AFTAP) for the last plan year ending before January 1, 2020 as the AFTAP for plan years that include calendar year 2020. The election under Notice 2021–48 was for extended amortization bases to apply the extended amortization period for shortfall amortization bases for plan years beginning after December 31, 2018, December 31, 2019, or December 31, 2020. This extended period now applies for all DB plans. The election was available on a temporary basis and is no longer available. The agency has changed the estimated number of respondents from 20 to 2 as it is expected that any community newspaper plan sponsor that wanted to make this election have made it already, and the plan sponsors that are eligible for this election would be very small. REG–139236–07 (TD 9467), remains the same with the same estimates as previously approved by OMB.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households, and businesses or other for-profit organizations, not-for-profit, institutions, farms, and Federal, State, local or Tribal governments.

TD 9467

Estimated Number of Respondents: 80,002.

Estimated Time per Respondent: 4.5 hrs.

Estimated Total Annual Burden Hours: 120,008.

Notice 2020–60

Estimated Number of Respondents: 2.

Estimated Time per Respondent: 4 hr.

Estimated Total Annual Burden Hours: 80.

23. Title: Amortization of Intangible Property.

OMB Number: 1545–1671.

Regulation Project Number: TD 8865 (REG–209709–94).

Abstract: These regulations apply to property acquired after January 25, 2000. Regulations to implement section 197(e)(4)(D) are applicable August 11, 1993, for property acquired after August 10, 1993 (or July 26, 1991, for property acquired after July 25, 1991, if a valid retroactive election has been made under § 1.197–1).

Current Actions: There are no changes being made to the regulation at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 500.

Estimated Time per Respondent: 3 hours.

Estimated Total Annual Burden Hours: 1,500.

24. Title: Interest Rates and Appropriate Foreign Loss Payment Patterns for Determining the Qualified Insurance Income of Certain Controlled Corporations under Section 954(i).

OMB Number: 1545–1799.

Regulation/Project Number: Notice 2002–69.

Abstract: Notice 2002–69 (2002–43 I.R.B. 730) published October 28, 2002, provides interim guidance for determining the interest rates and appropriate foreign loss payment patterns to be used by controlled foreign corporations in calculating their qualified insurance income under section 954(i) of the Internal Revenue Code. Taxpayers may rely on the guidance in this notice until regulations or other guidance are published.

Current Actions: There is no change to the burden previously approved.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business, or other for-profit organizations.

Estimated Number of Responses: 300.

Estimated Time per Respondent: 1 hour.

Estimated Total Annual Burden Hours: 300.

Authority: 44 U.S.C. 3501 *et seq.*

Melody Braswell,

Treasury PRA Clearance Officer.

[FR Doc. 2025–07167 Filed 4–24–25; 8:45 am]

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